REPORT

of the

Section 89 Independent Panel

Appointed to Conduct A Preliminary Enquiry on the Motion proposing a Section 89 Enquiry

VOLUME 2

INDEX TO THE RECORD OF DOCUMENTS SUBMITTED TO THE PANEL

VOLUME	ANNEXURE	DESCRIPTION	PAGES
2	IP1	The letter of referral by the Speaker of the National Assembly, dated 18 October 2022	1
2	IP2	The Notice of Motion in terms of Rule 129A dated 18 July 2022 Honourable. V Zungula MP	2 - 4
2	IP3	Annexure A to the Referral – Titled "FORMATTED MOTION SUBMITTED BY MR V ZUNGULA MP"	5 - 7
2	IP4	Annexure B to the Referral – Titled "TRANSCRIPT OF MR CYRIL RAMAPHOSA AUDIO LINKED TO CHARGE 1 OF SECTION 89 MOTION SUBMITTED BY MR V ZUNGULA MP"	8 - 10
2	IP5	Annexure C – Titled "RELEVANT RULES AS PUBLISHED IN ANNOUNCEMENTS, TABLINGS AND COMMITTEE REPORTS (ATC) PUBLISHED ON 11 SEPTEMBER 2018"	11 - 15
2	IP6	A letter from the ATM dated 10 October 2022 submitting Supplementary Evidence	16 - 18
2	IP7	The Decision of the Western Cape High Court in The Public Protector v The Speaker of the National Assembly and Others, delivered on 9 September 2022	19 - 97
2	IP8	Letter dated 30 August 2022 by the Governor of the Reserve Bank addressed to Mr. N F Shivambu.	98 - 99
2	IP9	Rules of the National Assembly, 9th Edition	100 - 336
2	IP10	ACT OF 20 October 2022: Section 89 Independent Panel - Notice in terms of Rule 129G(1)(c)(i)	337 - 342
2	IP11	Section 89 Independent Panel: 30 Day Calendar Day Timetable for the Report	343
2	IP12	Economic Freedom Fighters' submission to the Section 89 Independent Panel	344 - 354
2	IP13	Letter to the Directorate for Priority Crime Investigation dated the 23rd of June 2022 about a meeting between Mr. Arthur Fraser and members of the DPCI in relation to Bela-Bela CAS93/06/2022	355 - 368
2	IP14	Former Director-General of State Security and National Commissioner of Correctional Services Mr. Arthur Fraser affidavit	369 – 416
2	IP15	Input from Mr B Holomisa, President of the United Democratic Movement	417 – 418
2	IP16	Supplementary Evidence: ATM Motion of Impeachment of the President in terms of Section 129a Of the Rules of the National Assembly	419 - 430
2	IP17	2019/20 Annual Report of the South African Police Service	431 - 890
3	IP18	2020/21 Annual Report of the South African Police Service	891 - 1319
3	IP19	Affidavit of Major General Rhoode	1320 - 1328
3	IP20	Submission by the ATM to the Section 89 Panel	1329 – 1370

VOLUME	ANNEXURE	DESCRIPTION	PAGES
3	IP21	Mr A Fraser letter to the PP, dd 26 September 2022	1371 - 1401
3	IP22	Topographical Image Fence cut and spoor direction	1402
3	IP23	Photo: Phala Phala Gate	1403
3	IP24	Photo: Phala Phala Fence Cut	1404
3	IP25	Photo: Phala Phala Broken Window	1405
3	IP26	Photo: Suspects 1	1406 - 1408
3	IP27	Photo: Suspects Passport 1	1409
3	IP28	Photo: Suspects Driver's license 1	1410
3	IP29	Photo: Suspects SA Identity 1	1411
3	IP30	Photo: Suspects SA Identity 2	1412
3	IP31	Photo: Suspects Passport 2	1413
3	IP32	Photo: Suspects SA Identity 3	1414
3	IP33	Photo: Suspects Driver's license 2	1415
3	IP34	Photo: Suspects Namibian Identity	1416
3	IP35	Photo: Fx Exchange	1417
3	IP36	Photo: Handwritten notes	1418
3	IP37	Photo: Purchase of vehicle: Ford Ranger	1419
3	IP38	Photo: Ford Ranger Natis	1420
3	IP39	Photo: Ford Ranger King Price Insurance	1421
3	IP40	Photo: Proof of Payment – FNB 1	1422
3	IP41	Photo: Proof of Payment – FNB 2	1423
3	IP42	Photo: Volkswagen Natis	1424
3	IP43	Photo: Volkswagen Circulation Screenshot	1425
3	IP44	Photo: Volkswagen CAA 148-***	1426
3	IP45	Photo: Volkswagen Golf-R Dealership	1427 – 1428
3	IP46	Photo: Volkswagen Tiguan JZN 038 **	1429
3	IP47	Tip off messages	1430 - 1438
3	IP48	Media statements Arthur Fraser	1439 – 1440
3	IP49	Photos: Suspects Namibian ID 1	1441 – 1442
3	IP50	Photo: Suspects Tied Up	1443 – 1448
3	IP51	Media Alert: Speaker Appoints Adv Sello to the Panel of Experts	1449 – 1452
3	IP52	Article: Ramaphosa impeachment unlikely	1453 – 1456
3	IP53	Presidency responds to claims by Mr Arthur Fraser	1457
3	IP54	Presidency remains focused on rebuilding and recovery	1458
3	IP55	Article: Why Ramaphosa (apparently) kept mum about multimillion-dollar robbery at his farm	1459 – 1462
3	IP56	News24: Ramaphosa farm theft	1463 -1468
3	IP57	News24: Phala Phala: Mystery Sudanese Businessman paid $580 000 to Ramaphosa's farmhand 45 days before he left	1469 – 1474
3	IP58	Article: Analysis Ramaphosa can't make the fifth on Phala Phala for much longer	1475 – 1476
3	IP59	Article: It's entrapment, says Presidency about Ramaphosa farm robbery	1477 – 1482
3	IP60	Article: Unpacking the Cyril Ramaphosa home robbery story	1483 – 1492
3	IP61	Article: The verdict in the court of public opinion may yet	1493 – 1497

VOLUME	ANNEXURE	DESCRIPTION	PAGES
		cost Ramaphosa dearly	
3	IP62	News24: Ramaphosa meets deadline on Reserve Bank forex probe	1498 – 1500
3	IP63	IOL: Original Phala Phala robbery case mysteriously opened – two years late	1501 – 1506
3	IP64	News24: Ramaphosa burglary	1507 – 1512
3	IP65	Article: Hawks take over Ramaphosa forex heist case from President's Praetorian Guard	1513 – 1516
3	IP66	Article: Mishandling of the Ramaphosa farm forex theft reflected in state accountability documents	1517 – 1522
3	IP67	Cele: Police were not protecting Ramaphosa's Phala Phala farm at time of forex theft	1523 – 1526
3	IP68	News24: Ramaphosa farm theft: Money stolen from game farm the earnings from private sales, transactions	1527 – 1532
3	IP69	Article: Phala Phala theft plot thickens	1533 – 1538
3	IP70	Article: Ramaphosa's stolen millions: the Namibian connection	1539 – 1544
3	IP71	City Press: Police resources used in Phala Phala theft cover-up	1545 – 1550
3	IP72	City Press: Zizi Kodwa drawn into Phala Phala investigation	1551 – 1555
3	IP73	News24: Zizi Kodwa says he had 'no prior knowledge' of the theft at Ramaphosa's farm	1556 – 1559
3	IP74	News24: Ramaphosa's security boss faces suspension over allegedly 'secret' investigation	1560 – 1564
3	IP75	Article: Presidential Cover Up: Ex-spy says Ramaphosa called Geingob	1565 – 1601
3	IP76	News24: Phala Phala theft: Namibian police deny doing Ramaphosa's bidding	1602 – 1606
3	IP77	Article: Phala Phala: Namibian Presidency responds to Arthur Fraser	1607 – 1613
3	IP78	News24: Phala Phala: Govt denies Namibia's claims that it refused to help in case involving Imanuwela David	1614 – 1618
3	IP79	IOL: Police lied to Parliament about Phala Phala	1619 – 1624
3	IP80	EWN: Ramaphosa's private interests at stake in Phala Phala saga	1625 – 1626
3	IP81	Response to all relevant allegations, dated 6 November 2022, from Mr Matamela Cyril Ramaphosa President of the Republic of South Africa	1627
3	IP82	Submissions by Matamela Cyril Ramaphosa, President of the Republic of South Africa, made in terms of Rule 129G(1)(C)(iii) of the National Assembly Rules, to the Independent Panel appointed in terms of Rule 129D of the National Assembly Rules	1628 - 1765

INDEX TO THE VIDEO EVIDENCE SUBMITTED TO THE PANEL[1]

ANNEXURE	DESCRIPTION
IPV1	Video: Security cam footage 1
IPV2	Video: Security cam footage 2
IPV3	Video: Security cam footage 3
IPV4	Video: Security cam footage 4
IPV5	Video: Security cam footage 5
IPV6	Video: Alleged criminals trespassing and housebreaking in Phala Phala Wildlife Farm
IPV7	Video: Continued: Alleged criminals trespassing and housebreaking in Phala Phala Wildlife Farm
IPV8	Video: Cyril Ramaphosa address at Limpopo ANC Congress
IPV9	Video: Cyril Ramaphosa address at Ankole Cattle Breed Society of South Africa
IPV10	Audio: Mr Cyril Ramaphosa Investigator Mr Terrence Joubert

[1] Available electronically

PARLIAMENT
OF THE REPUBLIC OF SOUTH AFRICA

THE SPEAKER
PO Box 15 Cape Town 800 Republic of South Africa
Tel: 27(21) 403 2595 Fax: 27(21) 461 9462
speaker@parliament.gov.za

Justice S Sandile Ngcobo
Chairperson: S89 Independent Panel
Email: sheleni01@gmail.com
mbuyistemela@yahoo.com

Dear Justice Ngcobo,

REFERRAL TO THE INDEPENDENT PANEL OF MOTION TABLED IN ACCORDANCE WITH NATIONAL ASSEMBLY RULE 129A-Q READ WITH SECTION 89 OF THE CONSTITUTION

My correspondence to the Chairperson of the Panel dated 14 October 2022, bears reference.

I hereby formally refer to the Independent Panel the matter of the motion by Mr V Zungula MP, submitted in terms of National Assembly Rule 129A-Q, read with section 89 of the Constitution.

The motion is referred to the Independent Panel in terms of Rule 129G(1)(b), for reporting to the Speaker within 30 calendar days starting on **Wednesday, 19 October 2022.**

The motion, as submitted by Mr Zungula, is attached to this referral letter as Annexure A. Also attached as Annexure B is a Transcript of the audio in the You-tube clip embedded in the motion and referenced as evidence to charge No.1.

The relevant Rule 129A-Q pertaining to the section 89 Removal procedure, is also attached as Annexure C.

Please note that this referral has also been announced in the Announcements, Tablings and Committee Reports (ATC), an official publication of Parliament.

Yours sincerely,

Ms N N Mapisa-Nqakula, MP
Speaker of the National Assembly

Date: 18 Oct. 2022

Powered by CamScanner

PARLIAMENT
OF THE REPUBLIC OF SOUTH AFRICA

AFRICAN TRANSFORMATION MOVEMENT
TRANSFORMING SOCIETY FOR A BETTER TOMORROW

ATT: The Speaker of the National Assembly: The Honourable N Mapisa-Nqakula
Parliament of South Africa
120 Plein Street
Cape Town

18 July 2022

Dear Honourable Speaker

Motion in terms of Rule 129A to establish a section 89 Committee Inquiry

Resolution (Mr V Zungula): That the House -

(1) notes that, in terms of section 89(1) of the Constitution of the Republic, 1996, the National Assembly, by a resolution adopted by a supporting vote of at least two thirds of its members, may remove the President from office only on the grounds of –
(a) a serious violation of the Constitution or the law;
(b) serious misconduct; or
(c) inability to perform the functions of office;

(2) further notes that the Assembly adopted a Report of the Rules Committee on 22 November 2018, on procedures to give effect to section 89 of the Constitution on Removal of President; and

(3) resolves to initiate an inquiry into the removal from Office of President of the Republic, Mr M C Ramaphosa, on the grounds of serious violation of the Constitution or the law, and serious misconduct, charges of which are set out and substantiated as follows:

3.1 Charge 1: Serious Violation of the Constitution - Violation of section 96 (2)(a), read with section 83 (b) of the Constitution

The President is guilty of serious violation of section 96(2)(a) of the Constitution, which provides that members of the Cabinet and Deputy Ministers may not undertake any other paid work, in that:

(a) He, in response to allegations by Mr Arthur Fraser, told delegates to a Conference of the African National Congress in Limpopo that *"I'm a farmer, I am in the cattle business and the game business… I buy and I sell animals…. This that is being reported was a clear business transaction of selling animals.";*

(b) The statement by the President confirms that he is actively running his farming business and this also means the President misled the nation when in 2014, on assuming office as Deputy President, he said that all his business interests would be managed by a blind trust; and

(c) By violating section 96(2)(a) of the Constitution, he failed to uphold, defend and respect the Constitution as the supreme law of the Republic, as required of him by section 83(b) of the Constitution.

Evidence of this statement, which confirms violation of the Constitution, is in the attached YouTube clip https://youtu.be/5MKck9o8CyI

3.2 Charge 2: Serious Violation of the Law - Violation of section 34(1) of the Prevention and Combating of Corrupt Activities Act 2004 (Act No 12 of 2004), read with the South African Police Service Amendment Act, 2012 (Act No 10 of 2012)

The President is guilty of serious violation of section 34(1) of the Prevention and Combating of Corrupt Activities Act, 2004 (Act No 12 of 2004) (the Act), which places a duty on any person to report corrupt transactions to any police official, in that:

(a) The President failed to report the theft on his farm to any police official as required by the Act;

(b) Reporting the matter to General Wally Rhoode, a member of the Presidential Protection Unit, is not in compliance with the South African Police Service Amendment Act, 2012 (Act No 10 of 2012) which directs that reporting should be made to the police official in the Directorate for Priority Crime Investigation in terms of Section 34(1) of the Prevention and Combating of Corrupt Activities Act, 2004 (Act 12 of 2004); and

(c) The fact that there is no case number to date is proof that the manner in which the purported reporting was made was irregular and unlawful.

Evidence of this irregularity is contained in the verified Twitter handle of the Presidency issued at 13:19 on 2 June 2022 –

https://twitter.com/PresidencyZA/status/1532321001190588417?s=20&t=qiTEakerHHDUazoeI9RHhA

3.3 Charge 3: Serious Misconduct - Violation of section 96 (2)(b) read with section 83 (b) of the Constitution

The President is guilty of serious misconduct by violating section 96(2)(b) of the Constitution, which provides that Members of the Cabinet and Deputy Ministers may not, *inter alia*, expose themselves to any situation involving the risk of a conflict between their official responsibilities and private interests, in that:

(a) A member of the Presidential Protection unit, General Wally Rhoode, was directed to deal with security issues in the private farm (of the President) in violation of the provisions of section 96(2)(b) of Constitution;

(b) President Ramaphosa's life and limb was not threatened by the burglary and thus General Wally Rhoode had no business to be investigating anything at the Phala Phala Farm as unlawfully directed by the President; and

(c) By violating section 96 (2) (b) of the Constitution, he failed to uphold, defend and respect the Constitution as the supreme law of the Republic, as required of him by section 83(b) of the Constitution.

Evidence of this misconduct is contained in the verified Twitter handle of the Presidency issued at 13:19 on 2 June 2022 – https://twitter.com/PresidencyZA/status/1532321001190588417?s=20&t=qiTEakerHHDUazoeI9RHhA

3.4 Charge 4: Serious Misconduct - Violation of section 96 (2)(b) read with section 83 (b) of the Constitution

The President is guilty of serious misconduct by violating section 96(2)(b) of the Constitution, which provides that Members of the Cabinet and Deputy Ministers may not, *inter alia*, act in a way that is inconsistent with their office, in that:

(a) The President gave an unlawful instruction to General Wally Rhoode, a member of the Presidential Protection Unit, to investigate the burglary in his private farm and the instruction to investigate rather than to report the matter in terms of the law shows dishonesty and constitutes misconduct and unlawfulness on the part of the President; and

(b) By violating section 96(2)(b) of the Constitution, he failed to uphold, defend and respect the Constitution as the supreme law of the Republic, as required of him by section 83(b) of the Constitution.

Evidence of this misconduct is contained in the verified Twitter handle of the Presidency issued at 13:19 on 2 June 2022 –

https://twitter.com/PresidencyZA/status/1532321001190588417?s=20&t=qiTEakerHHDUazoeI9RHhA

Hon. Vuyo Zungula (MP)
ATM President

ANNEXURE IP3 5

ANNEXURE A TO REFERRAL – FORMATTED MOTION SUBMITTED BY MR V ZUNGULA

1. Draft resolution (Mr V Zungula): That the House -

(1) notes that, in terms of section 89(1) of the Constitution of the Republic, 1996, the National Assembly, by a resolution adopted by a supporting vote of at least two thirds of its members, may remove the President from office only on the grounds of –
(a) a serious violation of the Constitution or the law;
(b) serious misconduct; or
(c) inability to perform the functions of office;

(2) further notes that the Assembly adopted a Report of the Rules Committee on 22 November 2018, on procedures to give effect to section 89 of the Constitution on Removal of President; and

(3) resolves to initiate an inquiry into the removal from Office of President of the Republic, Mr M C Ramaphosa, on the grounds of serious violation of the Constitution or the law, and serious misconduct, charges of which are set out and substantiated as follows:

3.1 Charge 1: Serious Violation of the Constitution - Violation of section 96 (2)(a), read with section 83 (b) of the Constitution

The President is guilty of serious violation of section 96(2)(a) of the Constitution, which provides that members of the Cabinet and Deputy Ministers may not undertake any other paid work, in that:

(a) He, in response to allegations by Mr Arthur Fraser, told delegates to a Conference of the African National Congress in Limpopo that *"I'm a farmer, I am in the cattle business and the game business… I buy and I sell animals…. This that is being reported was a clear business transaction of selling animals.";*

(b) The statement by the President confirms that he is actively running his farming business and this also means the President misled the nation when in 2014, on assuming office as Deputy President, he said that all his business interests would be managed by a blind trust; and

(c) By violating section 96(2)(a) of the Constitution, he failed to uphold, defend and respect the Constitution as the supreme law of the Republic, as required of him by section 83(b) of the Constitution.

Evidence of this statement, which confirms violation of the Constitution, is in the attached YouTube clip https://youtu.be/5MKck9o8CyI

3.2 Charge 2: Serious Violation of the Law - Violation of section 34(1) of the Prevention and Combating of Corrupt Activities Act 2004 (Act No 12 of 2004), read with the South African Police Service Amendment Act, 2012 (Act No 10 of 2012)

The President is guilty of serious violation of section 34(1) of the Prevention and Combating of Corrupt Activities Act, 2004 (Act No 12 of 2004) (the Act), which places a duty on any person to report corrupt transactions to any police official, in that:

(a) The President failed to report the theft on his farm to any police official as required by the Act;

(b) Reporting the matter to General Wally Rhoode, a member of the Presidential Protection Unit, is not in compliance with the South African Police Service Amendment Act, 2012 (Act No 10 of 2012) which directs that reporting should be made to the police official in the Directorate for Priority Crime Investigation in terms of Section 34(1) of the Prevention and Combating of Corrupt Activities Act, 2004 (Act 12 of 2004); and

(c) The fact that there is no case number to date is proof that the manner in which the purported reporting was made was irregular and unlawful.

Evidence of this irregularity is contained in the verified Twitter handle of the Presidency issued at 13:19 on 2 June 2022 – https://twitter.com/PresidencyZA/status/1532321001190588417?s=20&t=qiTEakerHHDUazoeI9RHhA

3.3 Charge 3: Serious Misconduct - Violation of section 96(2)(b) read with section 83 (b) of the Constitution

The President is guilty of serious misconduct by violating section 96(2)(b) of the Constitution, which provides that Members of the Cabinet and Deputy Ministers may not, *inter alia*, expose themselves to any situation involving the risk of a conflict between their official responsibilities and private interests, in that:

(a) A member of the Presidential Protection unit, General Wally Rhoode, was directed to deal with security issues in the private farm (of the President) in violation of the provisions of section 96(2)(b) of Constitution;

(b) President Ramaphosa's life and limb was not threatened by the burglary and thus General Wally Rhoode had no business to be investigating anything at the Phala Phala Farm as unlawfully directed by the President; and

(c) By violating section 96 (2) (b) of the Constitution, he failed to uphold, defend and respect the Constitution as the supreme law of the Republic, as required of him by section 83(b) of the Constitution.

Evidence of this misconduct is contained in the verified Twitter handle of the Presidency issued at 13:19 on 2 June 2022 – https://twitter.com/PresidencyZA/status/1532321001190588417?s=20&t=qiTEakerHHDUazoeI9RHhA

3.4 Charge 4: Serious Misconduct - Violation of section 96(2)(b) read with section 83 (b) of the Constitution

The President is guilty of serious misconduct by violating section 96(2)(b) of the Constitution, which provides that Members of the Cabinet and Deputy Ministers may not, *inter alia*, act in a way that is inconsistent with their office, in that:

(a) The President gave an unlawful instruction to General Wally Rhoode, a member of the Presidential Protection Unit, to investigate the burglary in his private farm and the instruction to investigate rather than to report the matter in terms of the law shows dishonesty and constitutes misconduct and unlawfulness on the part of the President; and

(b) By violating section 96(2)(b) of the Constitution, he failed to uphold, defend and respect the Constitution as the supreme law of the Republic, as required of him by section 83(b) of the Constitution.

Evidence of this misconduct is contained in the verified Twitter handle of the Presidency issued at 13:19 on 2 June 2022 –
https://twitter.com/PresidencyZA/status/1532321001190588417?s=20&t=qiTEakerHHDUazoeI9RHhA

22dn128e

ANNEXURE B TO REFERRAL – TRANSCRIPT OF MR CYRIL RAMAPHOSA AUDIO LINKED TO CHARGE 1 OF S89 MOTION SUBMITTED BY MR V ZUNGULA MP.

President Cyril Ramaphosa delivers closing address at ANC Limpopo Conference

Mr C RAMAPHOSA: Now, let me end, comrades, by addressing the matter that has been in the news this week - in social media and so forth. I acknowledge that there is much public interest and concern about claims that have been made in a criminal complaint against me. I remain fully focused on the tasks that I have been given by the people of our country. [Applause.] I want to reaffirm that I was not involved in any criminal conduct. Once again, I pledge my full co-operation with any form of investigation.

Now, due to the investigation, I will not really be able to engage deeply or further on this matter as we should allow due process to take place. However, I would like to say that I am a farmer. I am in the cattle business and the game business. Through that business, which has been declared in Parliament and all over, I buy and I sell animals. Sometimes people buy these animals, and some of the people who have bought some of the animals are here. I do it ... [Laughter.] Yes. I do it through

... The sales are sometimes through cash or sometimes through transfers. Some of the people who are offshore customers and who are sometimes local, come through and buy animals. Some of them also come to hunt on the farm. So, this that is being reported was a clear business transaction of selling animals.

The amount involved is far less than what has been bandied in the press.

Sesotho:

Ba bang this morning ba re ke billion rand. Ba bang ba re ke ... [Others were saying this morning that it's a billion rand. Others are saying it's ...]

English:

... $4 million and so forth. I want to say it's far less.

Some are casting aspersions about me and money. I want to assure you, comrades, that all this was money from proceeds from selling animals. I have never stolen money from anywhere - be it from our taxpayers, be it from anyone. I have never done so ... [Applause.] ... and will never do so. I have never stolen money

from our taxpayers. My integrity as a leader will never allow me to do so. I will never be able to do so. [Applause.]

Now, I will continue to fight corruption. I want to make it clear that I will continue to fight corruption. Some of these things clearly have their own political agenda, and we are all aware of that. But it will not deter me from fighting corruption because I have never stolen taxpayers' money. [Applause.] That I have never done.

Therefore, I will co-operate with any process. The renewal process that we are involved in, comrades, is such that all of us must dedicate ourselves to become the type of leaders who will stand up and be able to say: We are here to serve our people; we are here to make sure that our people get a better life. That is what drives me. That is what makes me wake up every morning - to serve our people and nothing else. Thank you very much.

Sepedi:

Ke a leboga [Thank you.] Applause.]

ANNEXURE C – RELEVANT RULES AS PUBLISHED IN ANNOUCEMENTS, TABLINGS AND COMMITTEE REPORTS (ATC) PUBLICATION DATED 11 SEPTEMBER 2018

NATIONAL ASSEMBLY RULES FOR THE REMOVAL OF PRESIDENT FROM OFFICE IN TERMS OF SECTION 89 OF THE CONSTITUTION

Definitions

For the purpose of a section 89(1) enquiry in terms of these rules –

"an inability" includes "a permanent or temporary physical or mental condition of the President";

"a serious misconduct" means "unlawful, dishonest or improper behavior performed by the President in bad faith";

"a serious violation of the Constitution or the law" means "behaviour by the President amounting to an intentional or malicious violation of the Constitution or the law performed in bad faith"; and

"**Section 89"** means Section 89 of the Constitution, 1996.

"a section 89 enquiry" means an enquiry initiated by the Assembly to remove the President in terms of section 89 of the Constitution and this rule.

Part 3: Procedures to give effect to Section 89 of the Constitution

Initiation of Section 89 enquiry

129A. Initiation of Section 89 enquiry

(1) Any member of the Assembly may, by way of a substantive notice of motion in terms of Rule 124(6), initiate proceedings for a Section 89 enquiry, provided that –

(a) the motion must be limited to a clearly formulated and substantiated charge on the grounds specified in Section 89, which must *prima facie* show that the President:

(i) committed a serious violation of the Constitution or law;

(ii) committed a serious misconduct; or

(iii) suffers from an inability to perform the functions of office;

(b) all evidence relied upon in support of the motion must be attached to the motion;

(c) the charge must relate to an action or conduct performed by the President in person; and

(d) the motion is consistent with the Constitution, the law and these rules.

(2) For purposes of proceedings to remove the President in terms of Section 89(1)(c), the term "charge" must be understood as the grounds for averring the President's removal from office.

129B. Compliance with criteria

Once a member has given notice of a motion to initiate proceedings in a Section 89 enquiry the Speaker may consult the member to ensure the motion is compliant with the criteria set out in Rule 129A.

129C. Referral of motion

(1) When the motion is in order, the Speaker must immediately refer the motion, and any supporting documentation provided by the member, to the independent panel established for the purposes of considering preliminary Section 89 matters.

(2) The Speaker must inform the Assembly and the President of such referral without delay.

Independent panel to conduct preliminary inquiry into Section 89 enquiry

129D. Establishment

The Assembly must, if and when required, establish an independent panel to conduct any preliminary inquiry on a motion initiated in a Section 89 enquiry.

129E. Composition and appointment

(1) The panel consists of three fit and proper, competent, experienced and respected South Africans, which may include a judge, and who collectively possess the necessary legal competence and experience.

(2) The Speaker must appoint the panel, after giving political parties represented in the National Assembly reasonable opportunity to put forward nominees for consideration for the panel, and after the Speaker has given due consideration to all persons so nominated.

(3) If a judge is to be appointed to the panel, the Speaker must do so in consultation with the Chief Justice.

129F. Chairperson

The Speaker must appoint one of the panellists as chairperson of the panel.

129G. Functions and Powers

(1) The panel –

(a) must be independent and subject only to the Constitution, the law and these rules, which it must apply impartially and without fear, favour or prejudice;

(b) must consider any preliminary enquiry relating to a motion proposing a Section 89 enquiry, referred to it by the Speaker, and must make a recommendation to the Speaker, within 30 days, whether sufficient evidence exists to show that the President:

(i) committed a serious violation of the Constitution or law;

(ii) committed a serious misconduct; or

(iii) suffers from an inability to perform the functions of office; and

(c) in considering the matter –

(i) may, in its sole discretion, afford any member an opportunity to place relevant written or recorded information before it within a specific timeframe;

(ii) must provide the President immediately with copies of all information available to the panel relating to the inquiry;

(iii) must provide the President with a reasonable opportunity to respond, in writing, to all relevant allegations against him or her;

(iv) must not hold an oral hearing and must limit its enquiry to the relevant written and recorded information placed before it by members in terms of this rule; and

(v) must in its report include any findings, including the reasons for such findings, upon which its recommendation is based and any minority view of any panelist must be contained in its report.

(2) The panel may determine its own working arrangements strictly within the parameters of the procedures provided for in this rule.

129H. Quorum

The panel may proceed with its business when three panellists are present and remain present.

129I. Consideration and referral of panel report

(1) Once the panel has reported the Speaker must schedule the report for consideration by the Assembly, with due urgency, given the programme of the Assembly.

(2) The President must be informed of the scheduling and any decision on the report.

(3) In the event the Assembly resolves that a Section 89(1) enquiry be proceeded with, the matter must be referred to the Impeachment Committee established by this rule for that purpose.

Impeachment committee for Section 89 Enquiry

129J. Establishment

There is an Impeachment Committee to consider motions in terms of a Section 89 enquiry, referred to it in terms of Rule 129I(3) above.

129K. Composition and appointment

(1) The committee consists of the number of Assembly members that the Speaker may determine, subject to the provisions of Rule 154, provided that all parties in the Assembly must be represented.

(2) Notwithstanding Rule 155(2), the members of the committee must be appointed as and when necessary.

129L. Chairperson

The Committee must elect one of its members as Chairperson.

129M. Functions and powers of committee

(1) The committee must when the Assembly has approved the recommendation from the Panel to proceed with a Section 89 Enquiry, proceed to establish the veracity and, where required, the seriousness of the charges and report to the Assembly thereon.

(2) The committee must ensure that the enquiry is conducted in a reasonable and procedurally fair manner, within a reasonable timeframe.

(3) The committee must afford the President the right to be heard in his or her own defence and to be assisted by a legal practitioner or other expert of his or her choice.

(4) For the purposes of performing its functions, the committee has all the powers applicable to Parliamentary committees as provided for in the Constitution, applicable law and the Rules of the Assembly.

129N. Decisions

A question before the committee is decided when a quorum in terms of Rule 162(2) is present and there is agreement among the majority of the members present, provided that, when the

Committee reports, all views, including minority views, expressed in the Committee must be included in its report.

129O. Consideration of report

(1) Once the committee has concluded the enquiry, it must report to the Assembly forthwith.

(2) The report of the committee must contain findings and recommendations including the reasons for such.

(3) The report must be scheduled for consideration and debate by the Assembly, with due urgency, given the programme of the Assembly.

(4) If the report recommends that the President be removed from office, the question must be put to the Assembly directly for a vote in terms of the rules and if the question is supported by at least two thirds of the members of the Assembly, the President is thereby removed from office with immediate effect.

General

129P. Recommendations are not binding

(1) The Assembly will make the final and binding decision relating to any matter dealt with in this Rule.

(2) Any recommendation made by the independent panel or the impeachment committee or any decision made by the Speaker in terms of this Rule is not final and binding on the Assembly, including on any decision the Assembly intends to make in terms of this Rule.

129Q. Benefits of the President

If the President is removed from office, the benefits of the President must strictly be dealt with in terms of the relevant provisions of the Constitution.

PARLIAMENT
OF THE REPUBLIC OF SOUTH AFRICA

AFRICAN TRANSFORMATION MOVEMENT
TRANSFORMING SOCIETY FOR A BETTER TOMORROW

ATT: The Speaker of the National Assembly: The Honourable N Mapisa-Nqakula
Parliament of South Africa
120 Plein Street
Cape Town

10 October 2022

Dear Honourable Speaker

SUPPLEMENTARY EVIDENCE: ATM MOTION OF IMPEACHMENT OF THE PRESIDENT IN TERMS OF SECTION 129A OF THE RULES OF THE NATIONAL ASSEMBLY

1. The African Transformation Movement**, "ATM"**, seeks to supplement its motion of impeachment submitted in terms of Rule 129(G)(1) through submission of more evidence on the exact same charges as contained in the original submission.

1.1 **Supplementary evidence to Charge 1: Serious violation of the Constitution – Violation of Section 96(2)(a)**

Mr. Ramaphosa is on record admitting that a certain amount of dollars was stolen in his Phalaphala Farm but was evasive about the exact amount and how that foreign currency got into the country. This was laid bare by the letter from the South African Reserve Bank which also sought answers about the origins of this foreign currency and the underlying transaction. If this money had come to the country lawfully the SARB systems would reflect all the pertinent details and there would have been no need for the SARB to be writing to him.

In addition to the irregularity of how this money came into the country, it constitutes concrete evidence of payment for the work or business that he conducts in his farm himself in violation of the Constitution. The fact that it's him personally that is accounting to the South African Reserve Bank is further

evidence that indeed there is no Blind Trust or any other entity that is trading independently without his involvement.

Attached is a letter from SARB dated 30 August 2022 addressed to the Honourable Mr N.F. Shivhambu (MP)

2. **Supplementary evidence to charge 3: Serious misconduct – Violation of section 96(2)(b)**

2.1 Mr Ramaphosa acted in bad faith and was conflicted when he suspended Advocate Busisiwe Mkhwebane, the Public Protector.

ATM contends that he was triggered by the 31 questions relating to the Phalaphala Farm scandal.

Mr Ramaphosa had known for months about the pending suspension and he did not act, the matter was also subjudicare as there was a pending judgment of the issue of suspension of the Public Protector.

2.2 The matter is reported as the Public Protector vs The President of the Republic of South Africa, judgment delivered on 9th September 2022, (8500/2022) (2022ZAWCHC 180).

2.3 The full bench held that at page 157:

2.4 "*[157] In our view, the hurried nature of the suspension of the Applicant in the circumstances, notwithstanding that a judgment of the full court was looming on the same subject matter, leads this court to an ineluctable conclusion that the suspension may have been retaliatory, and, hence unlawful. It was certainly tainted by bias of disqualifying kind and perhaps an improper motive. In our view, the President could not bring an unbiased mind to bear as he was conflicted when he suspended the Applicant*".

The ATM submission is that para 157 above of the judgment of the full bench of the western Cape High Court which incidentally does not form part of the paragraphs that are being appealed by the Democratic Alliance at the Constitutional Court,

PARLIAMENT
OF THE REPUBLIC OF SOUTH AFRICA

constitutes irrefutable evidence that Mr Ramaphosa went even beyond putting himself in a position that exposes him to the risk of being in conflict between his official duty versus his private interests, the Court judgement is categoric that he was in actual fact conflicted when he suspended Adv Mkhwebane.

2.5 **Attached is the judgment of the full bench of the Western Cape**

SIGNED AND DATED AT CAPE TOWN THIS 22ND DAY OF SEPTEMBER 2022.

Hon V Zungula
ATM President

IN THE HIGH COURT OF SOUTH AFRICA
(WESTERN CAPE DIVISION, CAPE TOWN)

Before:
The Hon Mr Justice L G Nuku
The Hon Mr Justice M Francis
The Hon Mr Justice J D Lekhuleni

Case No: 8500/2022

In the matter between:

THE PUBLIC PROTECTOR OF SOUTH AFRICA	Applicant
and	
THE SPEAKER OF THE NATIONAL ASSEMBLY	First Respondent
THE CHAIRPERSON OF THE SECTION 194 COMMITTEE	Second Respondent
THE PRESIDENT OF THE REPUBLIC OF SOUTH AFRICA	Third Respondent
ALL POLITICAL PARTIES REPRESENTED IN THE NATIONAL ASSEMBLY	Fourth to Seventeenth Respondent

Dates of hearing	:	25 & 26 July 2022
Post hearing note submitted on	:	05 August 2022
Date of judgment	:	09 September 2022

J U D G M E N T

THE COURT :

Introduction

[1] The applicant applies to this Court in terms of the provisions of section 172(1) of the Constitution[1] for orders declaring certain conduct and/or decisions ("***the impugned conduct or decisions***") of the first, second and third respondents to be irrational, unconstitutional and invalid, as well as for consequential relief of a just and equitable remedy.

[2] The impugned conduct or decision in respect of the first respondent relates to a letter she wrote to the third respondent dated 10 March 2022 advising him of the decision of the committee established by the National Assembly in terms of section 194 of the Constitution read with Part 4 of Chapter 7 of the Rules of the National Assembly ("***the Section 194 Committee***") to continue with its consideration of the motion for the removal of the applicant.

[3] The impugned conduct and/or decisions in respect of the second respondent relate to the decisions of the Section 194 Committee:

(a) to continue with the consideration of the motion for the removal of the Public Protector while the matter is still pending before the courts;

(b) taken between 22 February 2022 until the date of any order granted by this Court; and

[1] The Constitution of the Republic of South Africa, 1996

(c) the implementation of Rule 129AD(3) of the Rules of the National Assembly ("***the Rules***") without it being amended to align it with the judgment of the Constitutional Court in the matter of the ***Speaker of the National Assembly v Public Protector***[2].

[4] The impugned conduct and/or decisions in respect of the third respondent relate to his decision to suspend the applicant as well as the preliminary steps he took leading up to the suspension.

[5] The applicant also seeks an order developing the common law to include a rule automatically suspending the execution of an order which is the subject of a pending application for rescission, unless the relevant court rules otherwise upon application by the successful party. Lastly, the applicant seeks orders holding certain respondents personally liable for costs on an attorney and client scale.

The parties

[6] The applicant brings this application in her capacity as the Public Protector of South Africa duly appointed as such in terms of section 1A of the Public Protector Act, 23 of 1994 ("***the Public Protector Act***"). She also brought a conditional application to be joined in her personal capacity as the second applicant.

[2] 2022 (3) SA 1 (CC)

[7] The first respondent is the Speaker of the National Assembly ("***the Speaker***") elected in terms of section 52 of the Constitution. The speaker is cited in these proceedings in her official capacity and also as a nominal respondent on behalf of the National Assembly as contemplated in section 23(1)(a) of the Powers, Privileges and Immunities of Parliament and Provincial Legislatures Act 4 of 2004 ("***the PPI Act***") read with section 2 of the State Liability Act 20 of 1957 ("***the State Liability Act***").

[8] The second respondent is the Chairperson of the Section 194 Committee ("***the Chairperson of the Section 194 Committee***") who is cited in his representative capacity as envisaged in section 23(1)(b) of the PPI Act.

[9] The Third Respondent is the President of the Republic of South Africa ("***the President***"). He is the head of State and of the National Executive of the Government of the Republic of South Africa, being elected as such in accordance with section 86 of the Constitution. The President is cited in his official capacity.

[10] The fourth to the seventeenth respondents are all political parties represented in the National Assembly and have been cited only as interested parties with no relief being sought against them. These respondents have not actively participated in this application except for the fifth, tenth, and eleventh respondents.

[11] The fifth respondent, the Democratic Alliance ("***the DA***"), the Speaker, and the Chairperson of the Section 194 Committee, opposed the application. The tenth respondent, United Democratic Movement ("***the UDM***"), and the eleventh respondent, the African Transformation Movement ("***the ATM***"), have filed papers in support of some of the relief sought by the applicant.

Factual Background

[12] The judgment of the Constitutional Court referred to in paragraph [3](c) above, succinctly sets out the history of the matter, including the related litigation which culminated in the said judgment, and it is not necessary to repeat same in any great detail. In summary, the DA submitted various motions for the removal of the applicant. Initially, the National Assembly did not have rules regulating the process arising from the motions for the removal of the Public Protector, the Auditor-General, or members of the commissions established in terms of Chapter 9 of the Constitution ("***the Chapter 9 institution office bearer***"). Upon the National Assembly adopting these rules, the applicant successfully challenged their constitutionality in this Court. The said challenge was successful with regard to the relief sought in respect of rule 129AD(3) and rule 129V(1). Rule 129AD(3) deals with legal representation and, in its original form, limited the participation of the Chapter 9 institution office bearer's legal representative or expert in the proceedings of the Section 194 Committee. Rule 129V(1) deals with the composition of an independent panel to determine whether there is *prima facie* evidence of misconduct, incapacity, or incompetence on the part of a Chapter 9 institution office

bearer and, in this regard, makes provision for the appointment of a judge to the said panel.

[13] Whilst the above challenge was still pending before this Court, the National Assembly constituted the Section 194 Committee which held its first meeting on 20 July 2021. This was followed by a letter dated 21 July 2021 written by the former Speaker of the National Assembly advising the President accordingly.

[14] Unhappy with the outcome of the full bench decision in this Court, the Speaker and the DA launched applications for direct appeal to the Constitutional Court. In the affidavit in support of the application, Mr Tsenoli MP, who was the Deputy Speaker, advised that he had decided to recommend to the Section 194 Committee to suspend the enquiry pending the outcome of the application for leave to appeal. The Section 194 Committee accepted this recommendation and resolved to suspend its proceedings pending the outcome of the application for leave appeal.

[15] The Constitutional Court delivered its judgment on 4 February 2022. It upheld the appeal in respect of rule 129V and dismissed the appeal in respect of rule 129AD(3). The Constitutional Court made an order severing the proviso in rule 129AD(3) which limited the participation of the Chapter 9 institution office bearer's legal representative or expert in the proceedings of the Section 194 Committee, and further ordered that:

> *"The amended rule now reads that the Section 194 committee: 'must afford the holder of a public office the right to be heard in his or her defence and to be assisted by a legal practitioner or other expert of his or her choice.'"* [3]

[16] On 21 February 2022, the applicant's attorney wrote to the Speaker advising of the applicant's intention to apply for the rescission of the order made by the Constitutional Court upholding the appeal in relation to rule 129V, and requested that the proceedings of the Section 194 Committee be suspended pending the finalisation of the application for rescission.

[17] On 22 February 2022, the Speaker's attorney responded on behalf of the Speaker advising of the latter's refusal to accede to the applicant's request. The letter advised that the Section 194 Committee was scheduled to meet during the afternoon of the same day and that the request as well as the reply had been forwarded to the Chairperson of the Section 194 Committee. The letter further invited the applicant to indicate the basis upon which she would be seeking the rescission. These submissions were provided to the Speaker on the same day.

[18] The Section 194 Committee held its meeting during the afternoon of 22 February 2022 and resolved to proceed with the consideration of the motion for the removal of the applicant.

---

[3] Paragraph 3 of the Order

[19] On 10 March 2022, the Speaker wrote to the President advising him of the latest developments in the matter. This is the letter which is at the centre of the impugned conduct or decision by the Speaker and it is necessary to reproduce its contents verbatim. The letter reads:

> *"RESUMPTION OF PROCEEDINGS OF COMMITTEE ON SECTION 194 ENQUIRY*
>
> *The former Speaker's letter to the President dated 21 July 2021 on the work of the above-mentioned Committee, bears reference. A copy is attached for ease of reference.*
>
> *As the President would be aware, the Committee had paused its proceedings pending the outcome of proceedings at the Constitutional Court regarding the constitutionality of the Assembly Rules governing removal processes for office bearers in institutions supporting constitutional democracy.*
>
> *Accordingly, I wish to advise the President that the Section 194 Committee, having considered the judgment of the apex court in this regard, resolved on 22 February 2022 to continue with its consideration of the motion for the removal of the Public Protector.*
>
> *The Committee has adopted terms of reference and a programme to guide its proceedings and progress."*

[20] On 11 March 2022, the applicant launched her first application for rescission of the order of the Constitutional Court which upheld the appeal in respect of rule 129V.

[21] On 17 March 2022, the President wrote to the applicant inviting her to provide him with reasons why he should not suspend her pending the finalisation of the work of the Section 194 Committee. We consider it necessary to also reproduce the contents of this letter verbatim as it is at the centre of the impugned conduct or decision relating to the President. The letter reads:

> *"RE: NATIONAL ASSEMBLY PROCEEDINGS IN TERMS OF SECTION 194 OF THE CONSTITUTION*
>
> 1. *The Speaker of the National Assembly has informed me that the National Assembly has decided to proceed with a process to consider your possible removal from office, in terms of section 194 of the Constitution. I attach her letter to me dated 10 March 2022 to this letter.*
> 2. *In terms of section 194(3)(a) of the Constitution, I may "suspend a [Public Protector, Auditor General or a member of a Commission established in terms of Chapter 9 of the Constitution] from office at any time after the start of the proceedings of a committee of the National Assembly for the removal of that person".*
> 3. *It would therefore now be appropriate to consider whether or not you ought to be suspended pending finalisation of the Committee's work.*
> 4. *I therefore hereby ask you to provide me with reasons why I should not exercise my powers in terms of section 194(3)(a) of the Constitution, in writing, within 10 working days of the date of this letter.*
> 5. *I am certain that you are as anxious to have the matter dealt with expeditiously as I am, and that you share my commitment to supporting the National Assembly in the fulfillment of its constitutional obligations in terms of section 194 of our Constitution."*

[22] On 18 March 2022, the applicant's attorneys wrote to the Speaker, among other things, lamenting the fact that she had not copied the applicant in her letter dated 10 March 2022 addressed to the President and demanding that the Speaker withdraw same. The attorneys for the Speaker responded on the same day advising, among other things, that the Speaker and the National Assembly had no role to play in the future processes which may culminate in the suspension of the applicant by the President and that the Speaker was not going to withdraw her letter of 10 March 2022.

[23] On 22 March 2022, the applicant's attorneys wrote to the President in response to the President's letter dated 17 March 2022. The gist of the response was that there were multiple instances of conflict of interest which precluded the President from personally suspending the applicant. These conflicts of interest included various investigations which had been recently conducted, or that were currently being investigated, by the office of the Public Protector against the President.

[24] On 23 March 2022, the Office of the State Attorney responded on behalf of the President to the letter from the applicant's attorneys dated 22 March 2022. The gist of the response was that the President would act personally as he did not consider himself to be disqualified from acting for any of the reasons alleged by the applicant.

[25] On the same day, the applicant's attorneys wrote to the Chairperson of the Section 194 Committee demanding the suspension of the proceedings of the Section 194 Committee pending the finalisation of an application for rescission which the applicant

had launched against the judgment of the Constitutional Court of 4 February 2022. On 29 March 2022, the Section 194 Committee met and, among other things, resolved to continue with its work in accordance with its existing programme.

[26] On 1 April 2022, the applicant launched the present application which was in two parts. Part A was aimed at securing urgent interdictory relief essentially (a) prohibiting the Section 194 Committee from continuing with its work, (b) directing the Speaker to withdraw her letter dated 10 March 2022, and (c) preventing the President from taking any steps aimed at suspending her pending the determination of the relief sought in Part B. In the original relief sought by the applicant in Part B, the applicant indicated that she would be seeking orders declaring the conduct of the Speaker (in writing the letter dated 10 March 2022), the conduct of the President (in initiating the suspension process) as well as the conduct of the Section 194 Committee (to commence or proceed with the enquiry) to be irrational, unconstitutional, and invalid.

[27] On 6 May 2022, the Constitutional Court dismissed the applicant's first application for rescission. On 10 May 2022, the applicant launched a second application for rescission. The second rescission application was aimed at rescinding the order of the Constitutional Court of 6 May 2022 dismissing the first application for rescission.

[28] On 7 June 2022, the applicant addressed a letter to the President titled:

> "*The investigation into allegations of a violation of the Executive Ethics Code Against the President of the Republic of South Africa, His excellency Mr MC Ramaphosa.*"

The said letter contained 31 questions for the attention of the President. These questions were in respect of an alleged incident that took place at the Phala Phala farm owned by the President.

[29] On 8 June 2022, the applicant made a public announcement that she had decided to launch an investigation into the Phala Phala incident as she is enjoined in law to do. A media statement was issued to this effect.

[30] On 9 June 2022, the President suspended the applicant and in terms of section 2A(7) of the Public Protector Act, the Deputy Public Protector assumed the performance of the functions of the office of the Public Protector.

[31] On 10 June 2022, this Court (per Erasmus, Wille and Dolamo JJ) refused the interim relief sought by the applicant in Part A.

[32] On 17 June 2022, the applicant's attorneys delivered a notice of intention to amend the relief sought in Part B and, on 27 June 2022, the applicant's attorneys, acting with the consent of the legal representatives of the other parties actively participating in the application, approached the Judge President for the hearing of the matter by a full court and on an expedited basis.

[33] On 6 July 2022, the Deputy Public Protector wrote to the Registrar of this Court informing her, among other things, that the applicant's attorneys were not authorised to deliver the notice amending the relief sought by the applicant in Part B.

[34] On 7 July 2022, Salijee Govender Van Der Merwe Inc attorneys, acting on the instructions of the Deputy Public Protector, delivered a notice of withdrawal of this application.

Issues

[35] The joint practice note filed by the parties lists the following as issues to be determined by this Court, namely:

35.1 Whether Seanego Inc is authorised to represent the Public Protector in the period since the President suspended Adv Mkhwebane from office on 9 June 2022 - this challenge was mounted by the Speaker and the Chairperson of the Section 194 Committee;

35.2 Whether the current application constitutes an abuse of the process of court;

35.3 Whether the sending of the letter dated 10 March 2022 by the Speaker was unconstitutional;

35.4 Whether the current ongoing enquiry being conducted by the Section 194 Committee and/or the activities of the Section 194 Committee since 22 February 2022:

35.4.1 Infringes the *sub judice* rule and/or rule 89 of the Rules;

35.4.2 Is impermissible because the National Assembly has not amended its newly adopted rules to give effect to the order of the Constitutional Court declaring the proviso to rule 129AD(3) unconstitutional and invalid;

35.4.3 Is impermissible due to the refusal by the Chairperson of the Section 194 Committee to grant the applicant an extension for her to respond to the allegations against her, and for unilaterally determining the relevant 30-day response period; and

35.4.4 Due to the second rescission application brought by the applicant in the Constitutional Court, will it be impermissible for this Court to grant the applicant's prayer for the development of the common law to include a rule automatically suspending the execution of an order which is the subject of a pending rescission application.

35.5 Whether the common law ought to be developed in the manner sought by the applicant;

35.6 Whether the impugned conduct of the President ought to be declared to be irrational and/or inconsistent with the Constitution in terms of section 172(1)(a) of the Constitution because:

35.6.1 it was premature and/or *ultra vires* as the proceedings envisaged in section 194(3)(a) of the Constitution had not started as at 17 March 2022, 9 June 2022, or at all;

35.6.2 it was tainted by actual or reasonably apprehended conflicts of interests emanating out of six different and identified investigations;

35.6.3 of alleged breaches of section 96 of the Constitution;

35.6.4 of an alleged agreement that was concluded on a WhatsApp and orally between lead Counsels for the President and the applicant; and

35.6.5 of conduct in contempt of court and/or in breach of section 165 of the Constitution;

35.7 The just and equitable remedies that ought to be granted in terms of section 172(1)(b) of the Constitution; and

35.8 Whether the Speaker and/or the President and/or the DA and/or the applicant should be ordered to pay costs in their personal capacities and/or on a punitive scale.

[36] There are also the following preliminary issues that require determination before dealing with the merits of the application, namely, (a) the issue of urgency, (b) the amendment of the notice of motion, and (c) the application for joinder. For convenience, we deal with these issues as well as the issue of the authority of Seanego Inc under the umbrella of preliminary issues.

[37] The preliminary issue raised by the Speaker that the relief sought by the applicant against the Speaker and the Chairperson of the Section 194 Committee is an abuse of the process of court is, for convenience, dealt with after the consideration of the merits of the substantive relief; the consideration of this issue is, in our view, inextricably linked to the merits of the relief sought by the applicant.

Preliminary issues

Urgency

[38] As already stated, the application was instituted in two parts: Part A for interim interdictory relief, and Part B for final declaratory relief. It appears that the parties had no issue with the urgency in respect of the relief sought in Part A. What transpired after the delivery of the judgment in respect of Part A, is that the applicant's attorneys, after having

consulted the legal representatives of the parties to the litigation, approached the Judge President requesting an expedited date for the hearing of this matter by a full court.

[39] The applicant, in justifying urgency in respect of the relief she seeks in Part B, contended in her supplementary founding affidavit that the urgency of the application is self-evident and indisputable because:

39.1 this matter concerns allegations relating to the abuse of power by public officials and, as was held in ***Apleni v Minister of Home Affairs***[4]:

> *"Where allegations are made relating to abuse of power by a Minister or other public officials, which may impact upon the Rule of Law, and may have a detrimental impact upon the public purse, the relevant relief sought ought normally be urgently considered."*

39.2 of the ongoing violation of her dignity and professional reputation arising from her unlawful suspension by the President, and, as was held in ***Prinsloo v RCP Media Ltd t/a Rapport***[5]**,**

> *"… the violation of an individual's privacy and dignity … creates a degree of urgency which is at least sufficient to justify a ruling that the matter not be struck off the roll and therefore have to wait for a court date in three or four months further into the future."*; and

[4] 2018 1 All SA 728 (GP) (25 October 2017) at p 732, paragraph [10]
[5] 2003 (4) SA 456 (T) at p 462 I – 463 A

39.3 the suspension is *ultra vires* because the proceedings envisaged in section 194(3)(a) of the Constitution have not started and, as such, it was premature for the President to suspend the applicant;

[40] The President took issue with urgency and, in this regard, it was submitted on his behalf that the grounds advanced by the applicant in support of urgency do not withstand scrutiny. It is not necessary to engage with each of the submissions made on behalf of the President given the conclusion reached by this Court on this issue.

[41] The applicant's main justification for urgency centres around her suspension by the President on 9 June 2022, which she alleges to be unlawful. As the applicant correctly submitted with reference to ***20th Century Fox Film Corporation and Another v Anthony Black Films (Pty) Ltd***[6], for the purposes of deciding upon the urgency of this matter, this Court must assume, as it has to do, without deciding, that the applicant's case was a good one, and that the suspension is unlawful and infringes on her constitutional rights.

[42] If it is assumed that the suspension is unlawful, this perforce places this matter among those matters which may impact upon the rule of law, and which may have a detrimental impact on the public purse. As such, as was stated in ***Apleni***, the relevant relief sought ought normally to be urgently considered. Notably, the issues raised in this matter are quite weighty and raise issues of great importance to our constitutional jurisprudence. This matter involves the interaction between the President who is the Head

[6] 1982 (3) SA 581 (W) at 586 F - G

of State and the head of a Chapter 9 institution whose mandate is to protect the public from any conduct in state affairs or in any sphere of government that could result in any impropriety. The matter also involves the head of the Legislature and the Chairperson of the Section 194 committee. Accordingly, we are satisfied that the relief sought in Part B ought to be considered on an urgent basis and not in the ordinary cause.

The rule 7(1) application

[43] On 29 June 2022, the Speaker and the Chairperson of the Section 194 Committee delivered their Notice in terms of rule 7(1) of the Uniform Rules of Court dated 23 June 2022, seeking orders:

43.1 granting them leave to dispute the authority of Seanego Attorneys Inc to represent the Public Protector of South Africa following the suspension of Adv Busisiwe Mkhwebane by the President on 9 June 2022; and

43.2 directing that such authority be proved by the filing of a power of attorney to so act signed by the Deputy Public Protector, Adv Kholeka Gcaleka, in terms of the authority conferred upon her by section 2A(7) of the Public Protector Act.

[44] The challenge to the authority of Seanego Attorneys Inc to act for the applicant after her suspension is premised on the argument that the prosecution of this application, as well as the appointment of Seanego Attorneys Inc to continue as attorneys of record for the applicant, are functions that ought to be performed by the office of the Public

Protector. The Deputy Public Protector, as the official responsible for the performance of these functions since the applicant's suspension, has made it clear that she has not authorised the continued prosecution of this application and has not mandated Seanego Attorneys Inc to act as attorneys of record for the applicant.

[45] The notice of withdrawal of the application was signed by attorneys, Salijee Govender Van Der Merwe Inc, purportedly acting as attorneys of record for the applicant, the Public Protector of South Africa. It was submitted on behalf of the Speaker and the Chairperson of the 194 Committee that the relief sought in Part B, if granted, is aimed at benefiting Adv Busisiwe Mkhwebane, personally, not the office of the Public Protector, as it will terminate the impeachment enquiry and reverse her suspension by the President.

[46] It was submitted on behalf of the applicant that the challenge to the authority of Seanego Attorneys Inc to represent her is ill-conceived and bad in law because section 1A of the Public Protector Act provides that "*there shall be a Public Protector for the Republic*", meaning that there can only be one Public Protector in the Republic and, in this instance, Adv Busisiwe Mkhwebane, despite her suspension, remains the Public Protector of the Republic appointed in terms of section 1A of the Public Protector Act. It was submitted further that Adv Busisiwe Mkhwebane instituted the application both in her personal capacity and in her official capacity as the Public Protector of South Africa and she continues to prosecute the application in such capacities.

[47] Rule 7 of the Uniform Rules of Court serves a very narrow and limited purpose, that is, as stated in ***Erasmus***[7],

> *"to prevent a person whose name is being used throughout the process from afterwards repudiating the process altogether and saying he had given no authority, and to prevent persons bringing an action in the name of a person who never authorised it."*

Thus, the question to ask where a rule 7(1) challenge has been raised is whether there are facts which cast some doubt on the legal representative's mandate to continue to act for the named litigant.

[48] In the present matter, the named litigant is the Public Protector of South Africa. In the founding affidavit, Adv Busisiwe Mkhwebane states that she is:

> *"(T)he Public Protector in terms of the Constitution of the Republic of South Africa 1996 ("the Constitution") and appointed as such in terms of section 1A (2) of the Public Protector Act 23 of 1994 ("the Public Protector Act") by the President of the Republic of South Africa. I am the Applicant in this application in my aforementioned capacity as the Public Protector…."*

[49] All the affidavits filed by the applicant in the application have been deposed to by Adv Busisiwe Mkhwebane and there is no suggestion that she, as the applicant, has not authorised Seanego Attorneys Inc to prosecute the application.

---

[7] Van Loggernberg, Erasmus Superior Court Practice 2nd ed, Vol 2 at D1-93

[50] The Speaker and the Chairperson of the Section 194 Committee's motivation to challenge the authority of Seanego Attorneys Inc appears to be based on the Deputy Public Protector's purported withdrawal of this application on the latter's assumption of the functions and powers of the office of the Public Protector subsequent to the applicant's suspension.

[51] In writing to the Registrar of this Court advising that Seanego Attorneys Inc were not authorised to amend the notice of motion in respect of the relief sought by the applicant in Part B and in purporting to withdraw the application, the Deputy Public Protector ignored the obvious: she is not, and never was, a party to the litigation and, as such, could not authorise Seanego Attorneys Inc to prosecute the application or withdraw it.

[52] Whilst the Deputy Public Protector may have legitimate concerns about the exposure of the office of the Public Protector to adverse costs orders in relation to the present application, such concerns, however, do not cast doubt on the authority of Seanego Attorneys Inc to prosecute the application on behalf of the applicant.

[53] What the Speaker and the Chairperson of the Section 194 Committee require the Deputy Public Protector to do - to sign a power of attorney confirming the authority of Seanego Attorneys Inc to prosecute the application - would be a *brutum fulmen* as the Deputy Public Protector is neither the applicant nor the Public Protector appointed in terms of section 1A of the Public Protector Act. This is because, apart from the fact that there is no basis to doubt the authority of Seanego Attorneys Inc to prosecute the

application, a power of attorney signed by her would, in any event, be of no assistance as she is not the named litigant. For all these reasons, the application for leave to challenge the authority of Seanego Attorneys Inc to act for the applicant cannot succeed.

Application for joinder

[54] The joinder application was conditional upon the success of the challenge to the authority of Seanego Attorneys Inc to prosecute the application. It was also necessitated by, among other things, a notice of withdrawal of the application filed by Salijee Govender Van Der Merwe Inc dated 7th July 2022, purportedly acting as attorneys of record for the applicant, the Public Protector of South Africa.

[55] The challenge to the authority of Seanego Attorneys Inc has failed and Salijee Govender Van Der Merwe Inc were never properly authorised to act on behalf of the applicant. Their purported notice of withdrawal of the application was based on the wrong premise that the Deputy Public Protector, by assuming the functions and powers of the Office of the Public Protector, became the Public Protector appointed in terms of section 1A of the Public Protector Act and hence the applicant. As a matter of fact, and law, that is not so. In light of this, it is not necessary to consider the joinder application.

Amendment of the notice of motion

[56] This application was launched prior to the suspension of the applicant as well as the commencement of the enquiry by the Section 194 Committee. The subsequent suspension of the applicant as well as the commencement of the enquiry by the Section

194 Committee has consequently necessitated some amendment to the relief sought by the applicant.

[57] In respect of the suspension, in the proposed amended notice of motion, the applicant seeks an order declaring her suspension to be irrational, unconstitutional, and invalid. In relation to the commencement of the enquiry by the Section 194 Committee, the applicant, in the proposed amended notice of motion, seeks an order declaring all the decisions taken by the Section 194 Committee from 22 February 2022 onwards to be null and void. In addition, the applicant seeks an order declaring the implementation of rule 129AD(3) of the Rules, without its due processing and amendment by the National Assembly, to be irrational, unconstitutional, and invalid.

[58] The proposed amendment of the notice of motion is a logical consequence of developments which occurred after its initial formulation. Not surprisingly, none of the parties formally objected to the proposed amendment. Accordingly, the amendment is granted. We now turn to the merits of the application starting with the impugned conduct and/or decision of the Speaker.

The impugned conduct/decision of the Speaker

[59] It is common cause that the Speaker addressed the letter dated 10 March 2022 to the President which is referred to in paragraph [19] above. In her supplementary affidavit dated 17th June 2022 filed in support of the relief sought in Part B in so far as it relates to the Speaker, the applicant stated that there are no new facts or developments and that

the grounds for the relief are based on what she had stated in her papers in relation to the relief she sought in Part A of the application. She went on to submit that the writing of the letter by the Speaker is what constitutes the illegal conduct and/or decision, that this was intended to trigger the suspension process, and that it was based on an incorrect interpretation of section 194(3)(a) of the Constitution.

[60] In her affidavit dated 31 March 2022 filed in support of the relief sought in Part A, the applicant stated that the conduct of the Speaker in writing the letter dated 10 March 2022, was illegal because the Speaker failed to take into account, or to apply her mind to, a relevant consideration, namely the actual delivery of the rescission application. The Speaker also took into account an irrelevant consideration, namely the earlier decision of the Section 194 Committee which had been overtaken by events.

[61] During argument, counsel for the applicant submitted that the conduct of the Speaker in writing the letter was unlawful as it is not authorised by any empowering legislation. He also argued that in considering the letter, this Court should not lose sight of the Speaker's involvement in a matter where the applicant investigated the President in relation to the private use of an official aeroplane on a trip to Zimbabwe. This investigation had resulted in her (the Speaker) being sanctioned. The suggestion was made that in writing the letter, the Speaker was not acting in good faith but was driven by the *mala fide* intention of wanting to unlawfully trigger the process for the applicant's suspension.

[62] In her response, the Speaker explained that in sending the letter to the President, she was merely informing the President of factual developments within the National Assembly, more specifically in the Section 194 Committee. The letter was factually accurate and when writing the letter, she was mindful of the co-operative governance obligation imposed on her by section 41(1)(h)(iii) of the Constitution. She also made reference to a letter dated 21 July 2021 written by the previous Speaker of the National Assembly to the President informing him (the President) of the commencement of the proceedings of the Section 194 Committee, which proceedings were subsequently paused pending the outcome of the judgment of the Constitutional Court.

[63] Section 41 of the Constitution deals with the principles of co-operative government and intergovernmental relations and places certain obligations on all spheres of government and all organs of the state within each sphere of government. Of particular relevance to this application is section 41(1)(h)(iii) which provides that:

> "*All spheres of government and all organs of state within each sphere must co-operate with another in mutual trust and good faith by informing one another of, and consulting one another on, matters of common interest.*"

[64] The relevance of section 41(1)(h)(iii) of the Constitution arises from the fact that the processes envisaged in section 194 of the Constitution involves the legislature and the executive. The legislature must enquire into the fitness to hold office of the office bearer of a Chapter 9 institution and the President may suspend the office bearer of a Chapter 9 institution after the start of the proceedings of the committee of the National Assembly

for the removal of that person. The proceedings envisaged in section 194 of the Constitution are thus a matter of common interest between the National Assembly and the President.

[65] The Speaker, as a representative and leader of the National Assembly, is obliged to inform the President when the Section 194 proceedings start. Accordingly, the argument that the conduct of the Speaker is unlawful because it is not authorised by any empowering legislation has no merit. On the contrary, the Speaker was obliged to inform the President of the decision of the Section 194 Committee to resume its proceedings. This is in line with what was done by the previous Speaker in similar circumstances.

[66] Furthermore, the wording of the letter does not support the applicant's submission that it was intended to trigger the suspension process. In the letter, the Speaker does no more than convey to the President the decision taken by the Section 194 Committee on 22 February 2022 to continue with its consideration of the motion for the applicant's removal. It is a fact that on 22 February 2022, the Section 194 Committee took the decision to proceed with its consideration of the motion for the applicant's removal. What the Speaker said was nothing more than to articulate the correct factual position.

[67] The argument that the Speaker failed to take into account the delivery of an application, which is said to be a relevant consideration, is also without merit because the application for rescission was delivered on 11 March 2022, a day after the Speaker had written to the President. Thus, the Speaker could not have taken it into account when she

wrote the letter to the President. In any event, even if the application for rescission had been delivered prior to the dispatch of the letter, the Speaker would still have been obliged to inform the President of the decision of the Section 194 Committee to resume its proceedings.

[68] As to the Speaker's involvement in a matter wherein the applicant investigated the President in relation to the private use of an official aeroplane on a trip to Zimbabwe which resulted in her (the Speaker) being sanctioned, this cannot detract from the obligations placed on the Speaker by section 41(1)(h)(iii) of the Constitution and the fact that what the Speaker stated in the letter was factually correct. Indeed, the Speaker would have risked failing to fulfil a Constitutional obligation had she not written the letter. There is thus no basis for making an order declaring the conduct of the Speaker, in sending the letter dated 10 March 2022 to the President, as irrational, unconstitutional, and invalid. We deal next with the relief regarding the development of the common law.

The development of the common law

[69] The applicant submitted that this relief is based on a purely legal question. Should the common law be developed to include a rule for the automatic suspension of a court order which is the subject of a pending application for rescission? If so, this would result in the treatment of an application for rescission in the same way as an application for leave to appeal as currently dealt with in section 18 of the Superior Courts Act 10 of 2013 ("***the Superior Courts Act***").

[70] It was further submitted that the most efficient way of codifying the new common law rule would be to recommend to Parliament that it effect an amendment to section 18 of the Superior Courts Act by adding the words "*or of an application for rescission*" after the words "*or of an appeal*" to the current wording of section 18(1) of the Superior Courts Act, resulting in section 18(1) reading:

> "*Subject to subsection (2) and (3), and unless the court under exceptional circumstances orders otherwise, the operation and execution of a decision which is the subject of an application for leave to appeal or of an appeal or of an application for rescission, is suspended pending the decision of the application or appeal.*"

[71] It was further argued that the amendment to section 18(1) of the Superior Courts Act would necessitate consequential changes to section 18(3) of the Superior Courts Act as well as to rule 45A of the Uniform Rules of Court. Rule 45A states that:

> "*The court may suspend the execution of any order for such period as it may deem fit*".

[72] The legal basis for seeking the relief, so it was submitted, is that on a proper interpretation of section 34 of the Constitution, there is no rational basis for the differentiation between an application for leave to appeal or an appeal from an application for rescission in that the rationale for preserving the *status quo* of a decision subject to an application for leave to appeal or an appeal applies with equal force whether such

decision is set aside as a result of a successful appeal or rescission. Section 34 of the Constitution states that:

> *"Everyone has the right to have any disputes that can be resolved by the application of law decided in a fair public hearing before a court or, where appropriate, another independent and impartial tribunal or forum."*

[73] It was submitted on behalf of the Speaker and the Chairperson of the Section 194 Committee that the argument relating to the consequential amendment to section 18(3) of the Superior Courts Act by the applicant is a concession that rule 45A read with section 18 provides for the opposite of the common law rule the applicant seeks this court to develop.

[74] It was further submitted that the applicant ignores the hierarchy of our sources of law in that regardless of whether the common law rule is developed in the terms she seeks, rule 45A would still apply and undermine any proposed change in the common law. In order to alter the terms of rule 45A, the applicant would need to mount a frontal challenge to the constitutionality of rule 45A on the basis that it limits some fundamental right in the Bill of Rights.

[75] Lastly, it was submitted that as section 18 of the Superior Courts Act is a source of law superior to the common law, the applicant cannot claim an alteration to its terms without challenging its constitutionality.

[76] Stripped bare of legal niceties, what the applicant requires this Court to do is to direct the legislature to amend the provisions of section 18 of the Superior Courts Act without any constitutional challenge thereto. In our view, this is not competent. As it was submitted on behalf of the Speaker and the Section 194 Committee, section 18 of the Superior Courts Act as well as rule 45A are sources of law superior to the common law and their terms can only be altered on the basis of a successful constitutional challenge. The applicant has not brought any such constitutional challenge.

[77] The amendment of the provisions of section 18 of the Superior Courts Act is a matter that falls within the preserve of the legislature and absent any identified unconstitutionality, the Courts are not at liberty to interfere in that regard. This is in keeping with the doctrine of separation of powers. The relief sought by the applicant for the development of the common law cannot succeed. We consider next the impugned conduct and/or decisions of the Section 194 Committee.

The impugned conduct and/or decisions of the Section 194 Committee

[78] The applicant relied on four grounds for seeking to impugn the conduct and/or decisions of the Section 194 Committee, namely:

(a) The infringement of the *sub judice* rule and/or rule 89 of the Rules;

(b) The failure of the National Assembly to amend rule 129AD(3) to bring it in line with the judgment of the Constitutional Court;

(c) The unilateral determination by the Chairperson of the Section 194 Committee of the 30-day period within which she was required to respond to the allegations as well as the failure and/or refusal to grant an extension; and

(d) An order by this Court developing the common law to include a rule automatically suspending the execution of an order which is the subject of a pending application for rescission.

[79] For convenience, we deal first with the ground relating to the development of the common law. The finding that the applicant has not made out a case for the development of the common law to include a rule automatically suspending the execution of an order which is the subject of an application for rescission disposes of this ground. Without such an order, there is no legal impediment on the Section 194 Committee proceeding with the enquiry. Next to consider is whether the current ongoing enquiry being conducted by the Section 194 Committee and/or the activities of the Section 194 Committee since 22 February 2022 infringes the *sub judice* rule and/or rule 89 of the Rules.

[80] Rule 89 of the Rules deals with the rules of debate in the National Assembly and provides that:

> "*No member may reflect upon the merits of any matter on which a judicial decision in a court of law is pending.*"

[81] It was submitted on behalf of the applicant that the basis for the relief sought against the Committee is that, properly interpreted, the *sub judice* rule as articulated in rule 89 of the Rules, should operate to render the current activities of the Section 194 Committee to fall within the conduct strictly prohibited by the rule 89. This was raised in the context of the applicant's second application for rescission referred to above.

[82] The applicant, however, placed no facts before this Court to demonstrate why the enquiry by the Section 194 Committee would result in the members of that Committee having to reflect on the merits of her second application for rescission. Rather, she deferred to the UDM and ATM, who, for their part, also placed no facts before the court to demonstrate the factual basis upon which it could be concluded that the enquiry by the Section 194 Committee would result in members of the said committee reflecting on the merits of the applicant's second application for rescission.

[83] It was submitted on behalf of the Speaker and the Chairperson of the Section 194 Committee, correctly so in our view, that members of the Section 194 Committee will not be reflecting on the substantive strengths or weaknesses of the applicant's second application for rescission. Nor would they be reflecting on the applicant's challenge to the constitutionality of the Rules. Instead, members will be considering whether the applicant has committed misconduct or is incompetent for any of the reasons alleged in the motion for her removal.

[84] Again, as correctly submitted on behalf of the Speaker and the Chairperson of the Section 194 Committee, this is an issue that has already been decided by this Court on two previous occasions in ***Public Protector v Speaker of the National Assembly and others***[8] and in the judgment dealing with Part A of this application[9]. In both these cases, it was held, among other things, that the application of the *sub judice* rule does not preclude the members of the National Assembly from carrying out their oversight functions and the holding of office bearers of Chapter 9 institutions accountable in terms of section 194 of the Constitution and the Rules. No argument was advanced on behalf of the applicant, the UDM, and the ATM to persuade this Court that these decisions were clearly wrong. We are of the view that this ground lacks merit. We consider next whether the proceedings of the Section 194 Committee are vitiated by the failure of the National Assembly to amend rule 129AD(3) to align it with the order of the Constitutional Court of 4 February 2022.

[85] The applicant's challenge to the constitutionality of rule 129AD(3) was successful to the extent that the proviso, which limited the participation of the office bearer of the Chapter 9 institution's legal representative or expert in the proceedings of the Section 194 Committee, was found by the Constitutional Court to be irrational and inconsistent with the Constitution, and was declared invalid.

---

[8] 2020 (12) BCLR 1491 (WCC) at para 108
[9] At paragraphs 41 – 43

[86] As already stated above, when declaring the proviso to be irrational, inconsistent with the Constitution and declaring it invalid, the Constitutional Court went on to make an order that the amended rule now provides that the Section 194 Committee "*must afford the holder of a public office the right to be heard in his or her defence and to be assisted by a legal practitioner or other expert of his or her choice*".

[87] The applicant, in her supplementary affidavit, asserted that the proceedings of the Section 194 Committee are irredeemably illegal because of the failure by the National Assembly to amend rule 129AD(3) to align it with the order of the Constitutional Court referred to above. However, the applicant does not, and cannot, explain the necessity to still process and amend rule 129AD(3) in light of the order made by the Constitutional Court which effectively amended rule 129AD(3).

[88] Quite simply, the Constitutional Court amended rule 129AD(3) and there is no need for the National Assembly to still amend it again. The failure of the National Assembly to amend the rule which has been amended cannot vitiate the proceedings of the Section 194 Committee. Last to consider, in relation to the Section 194 Committee, is whether its proceedings are vitiated by the unilateral determination by the Chairperson of the Section 194 Committee of the 30-day period afforded to the applicant to respond to the allegations against her and the failure of the Chairperson to accede to the applicant's request for an extension of time within which to respond to the charges against her.

[89] The applicant raised this issue in paragraph 82 of her supplementary affidavit wherein she states:

> "*The only material new development in respect of the Committee Chairperson was his refusal to grant me an extension, which would have compensated for the period during which the matter was postponed due to the Abramjee saga. Despite numerous efforts, the Chairperson unreasonably and irrationally refused to grant me more time to submit a response to the charges. I maintain that even the original unilaterally determined 30-day period was, in the circumstances, inadequate and insufficient.*"

Thereafter, the applicant annexed copies of correspondence exchanged between the Chairperson of the Section 194 Committee and her legal representatives and states that she persists in seeking the relief set out in Prayer 3.4 of the Part B of the amended notice of motion.

[90] The relief sought by the applicant in Prayer 3.4 of Part B of the amended notice of motion is an order declaring the conduct and/or decision of the Section 194 Committee to commence and/or proceed with the section 194 removal process while the matter is *sub judice* to be unlawful. This is an aspect that has already been dealt with above. It is difficult to understand how the unilateral determination of the 30-day period by the Chairperson of the Section 194 Committee, and/or his refusal to grant the applicant an extension of time within which to respond, would infringe the *sub judice* rule as embodied in rule 89 of the Rules.

[91] It is common cause that the enquiry by the Section 194 Committee was in progress when this application was heard and it would thus have been open to the applicant to place evidence before this Court to demonstrate the prejudice she suffered as a result of the unilateral determination of the 30-day period as well as the alleged refusal to grant an extension of time. She has not done so. Aside from the fact that the Chairperson of the Section 194 Committee disputes that he refused to grant an extension, there is no evidence before this Court to support a finding that such a refusal, if any, vitiated the fairness of the proceedings of the Section 194 Committee. In any event, she was given an extension of two weeks. Accordingly, the application against the Chairperson of the Section 194 Committee must fail. Next to consider is the impugned conduct of the President.

The impugned conduct and/or decisions of the President

[92] This application appears to have been triggered by the letter written by the President to the applicant inviting her to make representations on why she should not be suspended. The applicant relies on the following five grounds to attack the President's decision to suspend her, namely:

92.1 that the President took the decision to suspend her prematurely and that, as such, the decision is *ultra vires* as the proceedings contemplated in section 194(3)(a) of the Constitution had not started as at 17 March 2022, 9 June 2022, and/or have not started at all (*the prematurity* issue);

92.2 an agreement concluded between the lead counsels for the applicant and the President precluded the President from exercising the suspension powers at the time that he suspended the applicant (*the agreement not to exercise the suspension powers*);

92.3 the President committed contempt of court and/or breached section 165 of the Constitution when he suspended the applicant whilst judgment was still pending in respect of Part A of this application (*the contempt of court and/or breach of section 165 of the Constitution*);

92.4 the conflict of interest emanating from six investigations of the President by the applicant precluded the President from acting personally in exercising the suspension powers (*the bias argument*); and

92.5 the President, in suspending the applicant, committed a breach of section 96 of the Constitution (*the breach of section 96 of the Constitution*);

The prematurity issue

[93] The determination of the prematurity issue turns on a proper interpretation of the provisions of section 194(3)(a) of the Constitution which states:

> "*The President may suspend a person from office at any time after the start of the proceedings of a committee of the National Assembly for the removal of that person.*"

[94] Up until the applicant filed her supplementary founding affidavit, she accepted that the Section 194 Committee is the committee referred to in section 194(3)(a). Her argument was that its proceedings had not started on 17 March 2022 when the President invited her to make written representations on why she should not be suspended. This issue was determined by the full court dealing with Part A when it found that the proceedings of the Section 194 Committee start when the complaint is referred to the Section 194 Committee. The full court held further that on a liberal interpretation, the proceedings started when the Section 194 Committee informed the applicant of the allegations against her and invited her to respond thereto within a period of 30 days.

[95] In her supplementary founding affidavit, the applicant confirmed that there were no new material facts and that she intended to rely on the averments contained in her affidavit filed in support of the Part A relief. She, however, went on to state that:

> "*The suspension is clearly ultra vires because the proceedings envisaged in section 194(3)(a), when properly interpreted, have not yet started, had not started on 17 March 2022 and in any event, the current process does not yet constitute the removal proceedings....*"

[96] This point was developed further in the heads of argument filed on her behalf where it was submitted that the current process has not yet reached the stage of removal proceedings but is busy with the institutional predetermination of the existence of the grounds for removal. It was further submitted that the respondents had failed to deal with

this issue which was pertinently raised in the applicant's supplementary affidavit. It was suggested that it is only after a finding of the existence of the grounds for removal that there can be talk of a committee for the removal of the person who is the subject of an enquiry. In this regard, reliance was placed on the following passage contained in the judgment of the Constitutional Court in ***EFF v The Speaker of the National Assembly and Others*** (**"the EFF Impeachment case"**) where Jafta J stated:

> *"For the impeachment process to commence, the Assembly must have determined that one of the listed grounds exists"*[10].

[97] It was submitted on behalf of the President that the interpretation given to section 194(3)(a) of the Constitution by the Full Court in Part A cannot be faulted because the Full Court arrived at its interpretation after following well established principles of interpretation in our jurisprudence and, notably, the heads of argument filed on behalf of the applicant did not take issue with any of the findings of the Full Court in this regard. It was also submitted that the applicant's reliance on the EFF Impeachment judgment was misplaced as that judgment dealt with a very different subject matter to the present case.

[98] The submissions made on behalf of the DA were along similar lines as those made on behalf of the President. What became clear, however, was that both these arguments were premised on the previous acceptance by the applicant that the Section 194 Committee was the committee referred to in section 194(3)(a) of the Constitution and that

[10] EFF v The Speaker of the National Assembly and Others 2018 (2) SA 571 (CC) at paragraph [179]

it was the start of its proceedings that would trigger the powers of the President to suspend the office bearer of a Chapter 9 institution. In the meantime, the applicant had now significantly shifted the goal post and her argument, as set out above, was that the Section 194 Committee is not the committee referred to in section 194(3)(a) of the Constitution. There are in fact two committees: a committee to consider whether there were grounds to impeach (that is, the Section 194 Committee), and a committee for the removal of the subject of the enquiry once grounds for impeachment were established (the removal committee).

[99] This Court invited the parties to file post hearing notes dealing with the applicant's new argument that the Committee referred to in section 194(1)(b) is not the committee referred to in section 194(3)(a) of the Constitution.

[100] In the post hearing note filed on behalf of the President, it was submitted that this Court should not determine the new argument because; (a) it was not properly raised on the pleadings, (b) it is contrary to the applicant's pleaded case, and (c) it violates the subsidiarity principle. It was further submitted that, in the event of the court being minded to consider the new argument, the new argument has no merit in that on a proper interpretation of the provisions of section 194 of the Constitution, it would serve no purpose to have a separate committee contemplated in section 194(1)(b) for the determination of the existence of the grounds of removal and another committee contemplated in section 194(3)(a) for the removal of the office bearer of a Chapter 9

institution because all that is left after the determination of the existence of the grounds of removal is for the National Assembly to vote on the motion.

[101] In a post hearing note filed on behalf of the DA, it was submitted that the applicant's new argument is inconsistent with the text, the purpose of section 194, and violates the principle of subsidiarity.

[102] In the post hearing note filed on behalf of the applicant it was conceded that the prematurity argument was initially raised on the assumption that the Section 194 Committee was the committee referred to in section 194(3)(a) of the Constitution. It was also conceded that the manner in which the new argument was raised in the supplementary founding affidavit may have resulted in the parties not appreciating its import. However, it was submitted that the applicant would have been allowed to raise the point for the first time in argument, provided that it was foreshadowed in the pleadings.

[103] It was submitted further that, in any event, the court would have been entitled to raise the point on its own accord. In this regard, reliance was placed on the following passage in the judgment of the Constitutional Court in ***Amabhungane***[11] where Madlanga J stated:

> *"Since the issue was not raised by the parties, can this Court consider it mero motu (of its own accord)? This Court in Director of Public Prosecutions, Transvaal held that a court may raise a constitutional issue of its own accord. Additionally, '[w]here*

[11] Amabhungane Centre for Investigative Journalism v Minister of Justice 2021 (3) SA 246 (CC) at paragraph [58]

a point of law is apparent on the papers, but the common approach of the parties proceeds on a wrong perception of what the law is, a court is not only entitled, but is in fact obliged, mero motu, to raise the point of law'. This is rooted in the supremacy of the Constitution."

[104] Developing the applicant's new argument further, it was submitted that the proceedings for the removal of the office bearer of a Chapter 9 institution can only start and/or proceed after a finding of the existence of the grounds for removal. What this argument suggests is that the Section 194 Committee must enquire into the existence of the grounds of removal and make a finding to that effect. Only thereafter can the proceedings for the removal of the office bearer of a Chapter 9 institution then start. An analogy was drawn with the provisions of section 177(1)(a) of the Constitution in relation to the removal of a judge.

[105] It was further submitted that the interpretation of section 194(3)(a) of the Constitution contended for by the applicant is textually sound in that the reference to "*a committee of the National Assembly*" in section 194(3)(a) is a clear indication of the legislature's intention of referring to a new, separate and distinct committee than the one referred to in section 194(1)(b), that is the Section 194 Committee. It was submitted that this interpretation is supported by the use of the words "*a person*" followed by reference to "*that person*" in section 194(3)(a). Before considering the submissions relating to the applicant's new argument, it is necessary to first consider the submissions relating to the applicant's initial position in assuming that the Section 194 Committee is the removal committee referred to in section 194(3)(a).

[106] In the heads of argument filed in Part A, it was accepted by the applicant that the proceedings for the removal of the Public Protector would at best start when notification and witness statements are given to the applicant. It is common cause that the proceedings of the Section 194 Committee had gone past this stage at the time of the applicant's suspension.

[107] The applicant had also relied on the reasoning in the case of ***Nxumalo v Minister of Justice and Others***[12] in support of her argument that it would be logically impossible for proceedings to commence before all the requisite formalities, notifications, and rules of engagement are in place. In ***Nxumalo***, Kuper J, dealing with the phrase "*the commencement of the proceedings*" in the context of a civil action, said:

> "*Now when is it that an action is commenced? It is quite clear in my view that once a summons has been issued, i.e. once it has been signed by the Registrar of this Court and handed to the plaintiff's attorney to enable him to have the matter served, the litigation has commenced and that such a summons has consequences. It cannot for example be amended by the plaintiff's attorney without obtaining the Registrar's signature to that amendment, and if a summons is so amended, the summons itself has no longer any force or effect … the meaning of the words 'the commencement of proceedings' was the time when the summons was issued.*"

[12] 1961 (3) SA 663 at 667A-668A (WLD)

[108] It was then submitted that the following parallels may be drawn from the ***Nxumalo*** matter. Firstly, that the equivalent of the issue of the summons in this matter would be when the applicant is notified by the Section 194 Committee of the allegations against her. Secondly, the *dictum* confirms the view that until the Rules have been duly "*amended*", either by the Constitutional Court, by the National assembly, or even by the Committee, the removal proceedings could never be said to have "*started*" or "*commenced*".

[109] As already stated, by the time that the applicant was suspended, she had already been notified by the Section 194 Committee of the allegations against her. Also implicit from the submission made on behalf of the applicant, the Constitutional Court could "amend" the rules to the extent that they are inconsistent with the Constitution. This is in effect what the Constitutional Court did in its judgment of 4 February 2022. Thus, on the applicant's version, the proceedings of the Section 194 Committee had started by the time she was suspended.

[110] The above is in addition to the finding by the Full Court in Part A that the proceedings of the Section 194 Committee started at the earliest when the matter was referred to the Section 194 Committee after the finding of the existence of *prima facie* evidence to support the grounds of removal by the independent panel and, adopting a liberal interpretation, on 22 April 2022 when the Section 194 Committee held its meeting. As submitted on behalf of the President and the DA, this finding cannot be said to be clearly wrong. There is, in our view, no basis to interfere with this finding of the Full Court and

the applicant's old argument cannot succeed. Next to consider is the applicant's new argument.

[111] In as much as the Constitutional Court sated in ***Amabhungane*** that the court may raise a constitutional issue, it went on to state that:

> *"Since the courts are required to decide only issues properly raised, constitutional issues should only be raised mero motu in exceptional circumstances:*
>
> > *'The first is where it is necessary for the purpose of disposing of the case before it, and the second is where it is otherwise necessary in the interest of justice to do so. It will be necessary for a court to raise a constitutional issue where the case cannot be disposed of without the constitutional issue being decided. And it will ordinarily be in the interests of justice for a court to raise, of its own accord, a constitutional issue there are compelling reasons that this should be done.*
> >
> > *...*
> >
> > *It is neither necessary nor desirable to catalogue circumstances in which it would be in the interests of justice for a court to raise, of its own accord, a constitutional issue. This is so because this depends upon the facts and circumstances of a case.'"* (footnotes omitted)

[112] The question whether the Section 194 Committee is the committee referred to in section 194(3)(a) of the Constitution is undeniably a constitutional issue which falls within both circumstances. Firstly, the determination of the issue is necessary for the purposes of making a proper assessment of the existence of the jurisdictional requirements for the President to exercise the power to suspend the office bearer of a Chapter 9 institution.

Secondly, it is in the interests of justice to determine the issue because avoiding determining the issue may lead to the determination of the matter on a wrong principle. With that said, we now turn to consider the issue.

[113] The rules of interpretation are trite:

113.1 Consideration must be given to the language used in light of the ordinary rules of grammar and syntax, the context in which the provision appears, the apparent purpose to which it is directed, and the material known to those responsible for its production[13];

113.2 Individual provisions of the Constitution must not be considered and construed in isolation. They must be construed in a manner that is compatible with those basic and fundamental principles of our democracy. Constitutional provisions must be construed purposively and in the light of the Constitution as a whole[14]; and

113.3 The provisions of the Constitution must be interpreted in harmony, rather than in conflict, with each other[15];

[114] Section 194 of the Constitution deals with the removal from office of the office bearers of the Chapter 9 institutions who may only be removed:

---

[13] Natal Joint Municipal Pension Fund v Endumeni Municipality 2012 (4) SA 593 (SCA) para 18
[14] Matatiele Municipality and Others v President of the RSA and Others (No. 2) 2007 (6) SA 477 (CC) para 36
[15] United Democratic Movement v President of the RSA and Others (1) 2003 (1) SA 495 (CC) para 83

114.1 by the President;

114.2 upon adoption by the National Assembly of the resolution calling for that person's removal; and

114.3 after a finding of the existence of any of the grounds of removal by a committee of the National Assembly.

[115] What is clear from the text of section 194 is that the removal of the office bearers of the Chapter 9 institutions is a process which involves three players, namely (a) the committee of the National Assembly which must make a finding of the existence of one of the grounds of removal, (b) the National Assembly which must adopt a resolution calling for the removal and (c) the President who must remove the office bearer of the Chapter 9 institution upon the occurrence of the events referred to in (a) and (b). The only involvement of the Committee of the National Assembly in the removal process is the determination of the existence of the grounds of removal whereafter the matter proceeds to the National Assembly for a vote.

[116] Viewed in the light of what is stated in the preceding paragraph, it would make no sense, and indeed it would be absurd, to interpret section 194 as requiring two committees of the National Assembly, that is the one referred to in section 194(1)(b) to determine the existence of the grounds of removal and the other referred to in section

194(3)(a) being the committee of the National Assembly for the removal, when the only involvement of the committee of the National Assembly is to determine the existence of the grounds of removal.

[117] As correctly submitted on behalf of the DA, the absurdity of the applicant's argument is apparent from the fact that office bearers of the Chapter 9 institutions may be removed following a finding of one committee, the Section 194 Committee, and that the suspension would require an additional committee for the removal. This is, indeed, not a plausible interpretation as it is a trite principle of our law that courts should avoid an interpretation that leads to absurdity. There is thus no merit in the applicant's argument that the Section 194 Committee is not the committee referred to in section 194(3)(a) of the Constitution. The result is that the applicant's new argument cannot succeed as the proceedings of the Section 194 Committee had started by the time she was suspended. We consider next whether the agreement between the lead counsels for the President and the applicant precluded the President from suspending the applicant.

The agreement not to exercise the suspension powers

[118] Prior to the suspension of the applicant, her legal representatives had engaged with the President's legal representatives with a view to, among other things, seeking an undertaking that the President would consider the representations made by the applicant after the delivery of the judgment in Part A. These engagements culminated in a WhatsApp message from the President's lead counsel to the applicant's lead counsel recording the President's position as follows:

"1. *The Public Protector must file her representations by 26 May 2022 as agreed.*

2. *The President will consider those representations carefully prior to taking any decision.*

3. *After the President has received the PP's representations, he will be better placed to have an indication of his anticipated timeframe for taking a decision. At that point, he will advise you as to whether he is amenable to any undertaking and if so, the terms thereof.*"

[119] According to the applicant, she agreed to the arrangement as contained in the WhatsApp message on the understanding that there will be an intermediate step between her filing the representations and the President taking the decision on her suspension.

[120] It is common cause that the applicant filed her representations and that the President never reverted to her to advise whether he was amenable to any undertaking. Instead, he proceeded to suspend the applicant, and this is what the applicant characterises as the breach of agreement which renders the decision of the President to suspend her irrational and/or unreasonable. The applicant further describes the President's conduct as "*a clear basis for substantive and/or procedural irrationality and illegality*" which should be declared irrational, unconstitutional, and invalid.

[121] In the heads of argument filed on behalf of the applicant, the President's conduct referred to above is described as indicative of bad faith and in breach of the rule of law.

[122] The President denies that he had agreed that there would be an intermediate step between him receiving the representations and making a decision on the suspension. His explanation for not reverting to the applicant before taking the decision to suspend is that it would have served no purpose to revert to the applicant only to advise her that he was not amenable to any undertaking.

[123] It was submitted on behalf of the President that even if the applicant is correct that there was an agreement in the terms which she understood as set out in her papers, the agreement would still not found a basis for the declaratory order she seeks because there was no interdict to prevent the President from taking the decision to suspend her. The applicant had previously sought various undertakings and the President had refused to grant any further undertakings.

[124] It was further submitted that there is no basis for the declaratory order sought by the applicant as it is clear from the WhatsApp message that no two-stage process was agreed. The President, in any event, advised the applicant in the suspension letter that he was not amenable to any undertaking.

[125] What the WhatsApp message seems to convey is that the President gave an indication that he would consider the representations after which time he would be in a position to decide whether he was amenable to any undertaking and, if so, the terms thereof. As it is clear from the conduct of the President that he was not amenable to any

undertaking, the fact that he had given an indication that he would revert in the event he was amenable to giving an undertaking does not assist the applicant.

[126] What would have been relevant is what the WhatsApp message does not deal with; what would happen in the event of the President not being amenable to any undertaking. The President says that as he was not amenable to an undertaking, it would not have been necessary for him to first revert to the applicant, and only thereafter proceed to decide on the suspension. This would have served no purpose.

[127] In our view, the applicant's contention that there was an agreement that there would be an intermediate step, even in the event of the President not being amenable to giving an undertaking, is not supported by the text of the WhatsApp message as the WhatsApp message does not deal with the eventuality of the President not being amenable to give an undertaking. In any event, the applicant had made her representations and an intermediate step would have not served any purpose. This ground of impugning the agreement, in our view, lacks merit. We deal next with the contempt of court and/or breach of section 165 of the Constitution

The contempt of court and/or breach of section 165 of the Constitution

[128] At the time of the applicant's suspension, the judgment had been reserved in respect of Part A and was delivered a day after her suspension. The applicant alleges that the President knew that the delivery of judgment in Part A was imminent because the presiding judge in Part A had indicated that an order would be made within a period of

about a week or two. This, taken together with the fact that the President had given an undertaking that there would be an intermediate step before his decision on suspension as well as the fact that he did not withdraw the suspension on becoming aware that judgment was to be delivered the following day, makes the President guilty of contempt of court or, alternatively, of breaching the provisions of section 165 of the Constitution.

[129] The President denies that he acted in contempt of court on the basis that, at the time that he took the decision to suspend the applicant, he knew that no court order interdicting him from taking the decision had been handed down, had no indication as to when the judgment was to be delivered, and had been advised that his prospects of success in respect of the relief sought by the applicant in Part A were very good.

[130] The requirements for contempt of court are trite and the Constitutional Court restated them as follows in ***Matjhabeng***[16]: (a) the existence of the court order; (b) the order must be duly served on, or brought to the notice of the contemnor; (c) there must be non-compliance with the order; and (d) the non-compliance must be willful and *mala fide*.

[131] The applicant's case, however, is not that there was a court order in existence which was not complied with by the President. Her case is similar to the case advanced by Afriforum in ***Tshwane City v Afriforum***[17], namely that the President was not entitled to

[16] Matjhabeng Local Municipality v Eskom Holdings Limited and others 2018 (1) SA 1 (CC) at para [73]
[17] Tshwane City v Afriforum 2016 (6) SA 279

suspend her pending the outcome of her application for an interim interdict in Part A. This is the species of contempt that is concerned with "*the interference with the administration of justice by taking a decision which is bound to prevent the Court granting a remedy*" as was stated in ***Li Kui Yu***[18] and as qualified in ***Roberts v Chairman, Local Road Transportation Board***[19] on the basis that "*for an act to constitute contempt, it was necessary that there be an intention to defeat the course of justice.*"

[132] The issue in ***Tshwane City v Afriforum*** was the change of the street names by the Council of the Tshwane City whilst there was a pending application to interdict the name change. The court, in setting out what would have been required in order for Afriforum to succeed, stated that: "*The effect of the authority is that Afriforum was required to satisfy the court that the Council knew that the interim order was certainly going to be granted and its expeditious execution of the name-changing project was intended to frustrate the enforcement of the anticipated court order and thereby defeat the course of justice.*"[20]

[133] By parity of reasoning, what is required of the applicant is to satisfy this Court that the President knew that the interim interdict was certainly going to be granted and hurried the decision to suspend the applicant with the intention of frustrating the enforcement of the anticipated court order and thereby defeat the course of justice. The applicant made no averments to that effect in her supplementary founding affidavit and, at best for her in

[18] 1906 TS 181
[19] 1980 (2) SA 472 (C)
[20] Tshwane City v Afriforum at para [72]

her composite replying affidavit, she stated that she had been advised that her application for an interim interdict in Part A had good prospects of success.

[134] Even accepting that the applicant was advised that her application for an interim interdict had good prospects of success, that would still not be sufficient. It does not answer the question whether the President knew that the interim interdict was certainly going to be granted. Furthermore, it does not answer the question whether the President's hurried decision to suspend the applicant was intended to frustrate the enforcement of the anticipated court order, and thereby defeat the course of justice.

[135] In the heads of argument filed on her behalf, no argument is made that the President knew that an interim order was going to be granted. Instead, the granting of an interim order is stated as a possibility in the following terms,

> *"the President knew or ought to have known about the the possibility that the court might shortly find that he was disqualified from being the suspending authority and/or that the suspension powers had not yet been triggered when he started the suspension process".*

This, in our view, falls short of establishing the requirements for contempt of court. We now turn to consider the breach of section 165 of the Constitution.

[136] Section 165 of the Constitution deals with judicial authority and states, in relevant parts, that:

"(1) The judicial authority of the Republic is vested in the courts.

(2) ...

(3) No person or organ of state may interfere with the functioning of the courts.

(4) Organs of state, through legislative and other measures, must assist and protect the courts to ensure the independence, impartiality, dignity, accessibility and effectiveness of the courts."

[137] It was submitted on behalf of the applicant that, based on the same facts relied upon in respect of contempt of court, the President's conduct is also illegal because it is clearly in breach of section 165 of the Constitution, more especially subsection 165(1), 165(3) and/or 165(4) thereof, in that such conduct was calculated or objectively had the effect of undermining the independence, authority, dignity and/or impartiality of the judiciary.

[138] There is a reason why the applicant can only rely on the same facts in respect of both the contempt of court and the section 165 argument. Section 165 of the Constitution is the constitutional provision establishing judicial authority and contempt of court proceedings are a mechanism designed to give effect to judicial authority. This is made clear by the following passages in ***Matjhabeng***:

"[45] Section 165 of the Constitution, indeed, vouchsafes judicial authority. This section must be read with the supremacy clause of the Constitution. It provides that courts are vested with judicial authority, and that no person or organ of state may interfere with the functioning of the courts. The Constitution enjoins organs of

state to assist and protect the courts to ensure, among other things, their dignity and effectiveness.

[46] To ensure that courts' authority is effective, s 165 (5) makes orders of court binding on 'all persons to whom and organs of state to which it applies'. The purpose of a finding of contempt is to protect the fount of justice by preventing unlawful disdain for judicial authority. Discernibility, continual non-compliance with court orders imperils judicial authority." (footnotes omitted)

[139] It follows, therefore, that the issue of a breach of section 165 of the Constitution involves a consideration of the very issue of contempt of court and, of necessity, a finding of the contempt of court applies in respect of the issue of a breach of section 165 of the Constitution. Consequently, the applicant's failure to make out a case for contempt of court must necessarily mean that she has failed to make out a case for a breach of section 165 of the Constitution by the President. Next to consider is whether the power of the President was vitiated by bias or reasonable apprehension of bias. The joint practice note refers to this as,

"*actual or reasonable apprehension of conflicts of interests emanating out of six different and identified investigations.*"

Bias or reasonable apprehension of bias

[140] The issue of bias or reasonable apprehension of bias disqualifying the President from personally exercising the powers to suspend the applicant was dealt with by the Full Court in Part A which came to the conclusion that the applicant had,

"failed to put up any 'convincing' or 'cogent' evidence to rebut the presumption that the third respondent is impartial and has failed to discharge the onus of satisfying the double reasonable test."

[141] The applicant's claim of bias or reasonable apprehension of bias on the part of the President was based on the following complaints she had received or was investigating against the President:

141.1 The BOSASA/ CR17 investigation;

141.2 An investigation into the serious allegations of judicial capture, made by Anti-Poverty Forum;

141.3 An investigation emanating from a complaint by the Chief Whip of the Standing Committee on Public Accounts in connection with the allegations that the President has violated the Executive Ethics Code; and

141.4 An investigation emanating from a complaint by the Honourable Mr Vuyolwethu Zungula, MP, pertaining to the use of an official airplane on a trip to Zimbabwe.

[142] We do not intend interrogating the findings of the Full Court to the extent that it found that the evidence presented by the applicant failed to establish bias or reasonable apprehension of bias as that would amount to this Court impermissibly sitting as a court

of appeal. For that reason, the consideration of this issue is confined to events that transpired after the hearing of Part A.

[143] There are two events in the main that transpired after the hearing of Part A. The first is the complaint received by the applicant from the Honourable Mr Bantu Holomisa, MP relating to admissions by Glencore PLC, a United States of America company, that it had violated the United States Foreign Corrupt Practices Act and manipulated commodity prices to the value of approximately USD1.2 billion ("***the Glencore investigation***"). The second is the complaint received by the applicant from the Honourable Vuyo Zungula, MP requesting an investigation to establish whether the President had breached the provisions of the Executive Members Ethics Act by undertaking remunerative work in contravention of section 96(2)(a) of the Constitution. The complaint arose from an incident where Mr Arthur Fraser had laid a criminal charge against the President involving foreign currency at the President's Phala Phala farm ("*the Phala Phala investigation*").

[144] The applicant does no more than merely mention the complaint relating to the Glencore investigation and annexing a copy thereof. She does not say that she has written to the President requiring his response. As such, it is not clear how the President would have become aware that the applicant was investigating a complaint against him in this regard.

[145] In addition, the content of the complaint does not relate to the President but to a United States company, Glencore PLC. The President explains that he never held any

interest in the Glenore companies that were implicated in the Glencore investigation and that prior to 2014, he held an interest in Shanduka Resources which company held an interest in Glencore South Africa. The Glencore investigation appears to be nothing more than a makeweight to bolster the claim for bias or reasonable apprehension of bias and is certainly not sufficient to found bias or reasonable apprehension of bias.

[146] The Phala Phala investigation, however, stands on a different footing. On the President's account, he signed the suspension letter on 9 June 2022. It is common cause that by that time he had received a letter from the applicant about the Phala Phala investigation which required him to respond within 14 days from 7 June 2022. As it were, the clock was ticking when the President signed the suspension letter. The applicant's case, paraphrased, is that this would give rise to reasonable apprehension of bias on the part of the President which disqualified him from personally exercising the suspension powers.

[147] The President did not address the substance of the allegations in relation to the Phala Phala investigation because there were already pending investigations. He, however, denied that the Phala Phala investigation would disqualify him from exercising the suspension powers on the basis of reasonable apprehension of harm because:

147.1 the Full Court in Part A had already ruled that:

147.1.1 Without any special showing of bias, a mere complaint (even a reasonable one) about his alleged conduct is not enough to prevent him from acting in terms of his constitutional obligation, and the applicant had not established any special showing of bias; and

147.1.2 There is nothing wrong with affording a member of the executive the power to suspend someone who might investigate them (or their associates), as long as the suspension has adequate safeguards, is not without pay, and is not for an indefinite duration - the applicant's suspension had adequate safeguards in that she was suspended with pay and for a limited duration pending the finalisation of the section 194 enquiry;

147.2 The Deputy Public Protector, consistent with section 2A(7) of the Public Protector Act, steps in and, as such, the suspension would not in any manner negatively affect the investigation;

147.3 There is no basis in fact for the contention that the suspension was retaliatory as the process relating to the suspension predated the commencement of her investigation; and

147.4 The Deputy Public Protector was continuing the investigation.

[148] During the hearing of Part A, it appears that the DA accepted that the President can be prevented from exercising his powers under section 194(3)(a) of the Constitution if there is an objectively reasonable apprehension of bias. In this regard, it referred to the following two cases which make this apparent, namely, the Full Bench in the ***State Capture judgment***[21] and ***Corruption Watch***[22]. Furthermore, the Full Bench in the ***State Capture judgment*** relied on the principles of recusal that apply to judges, namely,

> *"a reasonable apprehension of bias, in the mind of a reasonable litigant in possession of all the relevant facts, that a judicial officer might not bring an impartial and unprejudiced mind to bear on the resolution of the dispute before the court."*

[149] Before us, the position of the DA appeared to have shifted in that it was now argued that the ability of an office bearer of a Chapter 9 institution to rely on pending investigations to shield himself or herself from suspension would have constitutionally untenable implications. This, we understand to be suggesting that a pending investigation could never give rise to a reasonable apprehension of bias.

[150] The DA also aligned itself with the President's reliance on the Part A judgement to the effect that there is nothing wrong in affording a member of the executive with power to suspend someone who might investigate them. The DA alluded to the fact that the suspension of the applicant could not be done on the President's whim but was the natural

---

[21] President of the Republic of South Africa v Office of the Public Protector and Others 2018 (2) SA 100 (GP)
[22] Corruption Watch (RF) and Another v President of the Republic of South Africa and Others: Council for the Advancement of the South African Constitution v President of the Republic of South Africa and Others 2018 (1) SACR 317 (GP)

outcome of evidence that she has conducted her duties with incompetence, negligence, and/or dishonesty.

[151] Although we have grave doubts whether the "so-called double reasonable test" applies to a member of the executive, we are prepared to accept for present purposes that the principles of recusal that apply to judges are the applicable standard. Even on this standard, there are, in our view, a number of reasons why the President would reasonably be perceived to be unable to bring to bear an impartial mind when considering whether or not to suspend the applicant.

[152] The first is that, as pointed out by the DA in their heads of argument filed in Part A, the applicant has been previously found by the Constitutional Court not to have investigated the President with an "*open and inquiring mind*" and that she was "*unduly suspicious*" of the President.

[153] The second is, against that backdrop at the time of suspension, the President was sitting with a letter from the applicant with a long list of questions that the President was required to answer within 14 days, and he had about 12 days to do so at the time of suspending the applicant. To suggest that such a suspension would not have any effect on delaying the course of investigation would be a difficult proposition to convincingly sustain.

[154] Thirdly, the expansive nature of the questions that the President was required to answer in the said short space of time in respect of events that took place some two years ago may well have caused the President to conclude that "there she goes again'; in those circumstances, rather than to have to contend with the applicant, he was better off with any person but the applicant.

[155] Significantly, the sequence of events leading to the suspension of the applicant cannot be discounted or overlooked. As explained above, on 7 June 2022, the applicant informed the President in writing that she was instituting an investigation against him with regard to allegations relating to a violation of the Executive Ethics Code in respect of the Phala Phala farm incident. Thirty-one questions were raised and the President had to respond thereto within 14 days. This correspondence was followed by a public announcement by the applicant on the 8 June 2022 that she had decided to launch an investigation against the President in respect of the Phala Phala matter. In response, on the 9 June 2022, the President decided to suspend the applicant. On these objective facts, it is reasonable to form the perception that the suspension of the applicant was triggered by the decision of the applicant to institute an investigation against the President. There was no other plausible or logical explanation for the premature suspension of the applicant on the eve of a judgment meant to determine the very lawfulness of the suspension.

[156] It must be stressed that at the time the applicant was suspended, the President was aware that the judgment of the Full Court in respect of Part A was pending. The

application in respect of Part A was brought on an urgent basis. All the parties involved were aware that judgment would be delivered in due course. Indeed, the full court gave an undertaking on the last day of the hearing that the Part A judgment would be delivered in a week or at the latest in two weeks' time. Notably, the judgment of the full court in Part A was in respect of an interdict that the applicant sought to obtain to restrain the President from suspending her. A notice was issued by the registrar on 9 June 2022 to all the parties concerned that judgment in respect of Part A would be given on 10 June 2022. According to the President, when the notice was issued by the Registrar, he had already issued the letter of suspension. In other words, the President only became aware that judgment would be delivered on the following day, after he had already issued the suspension letter.

[157] In our view, the hurried nature of the suspension of the applicant in the circumstances, notwithstanding that a judgment of the full court was looming on the same subject matter, leads this court to an ineluctable conclusion that the suspension may have been retaliatory and, hence, unlawful. It was certainly tainted by bias of a disqualifying kind and perhaps an improper motive. In our view, the President could not bring an unbiased mind to bear as he was conflicted when he suspended the applicant.

[158] The above considerations do not detract from the fact that the suspension was long in the making. However, at the time the suspension was finalised, the President was dealing with an investigation by the applicant, the substance of the allegations of which he could not discuss as he had done with the other investigations, and this, in our view,

is the critical time to assess whether it was still tenable for the President to exercise the suspension powers.

[159] It was submitted on behalf of the President that he was empowered by section 194(3)(a) of the Constitution to suspend the applicant. It was also contended that the suspension of the applicant was based on her incompetence as detailed in a number of judgments and that the President could have suspended her long before 9 June 2022. It was further argued that the applicant's suspension had already commenced well before her letter was addressed to the President on 7 June 2022. Furthermore, that the suspension of the applicant makes no difference to the President in that, notwithstanding the applicant's suspension, the investigation against the President is continuing with the Acting Public Protector at the helm of this investigation.

[160] That may be so. However, this argument, in our view, misses the point. In this case, one has to draw a distinction between the process relating to the applicant's suspension which commenced on the 17 March 2022 - when she was requested to furnish reasons why she should not be suspended - and the decision to suspend her which was taken on 9 June 2022. What is relevant here is the decision of 9 June 2022. In our view, it was still open to the president after considering the representations of the applicant to decide not to suspend the applicant. However, from the objective facts, the decision of the applicant to investigate the President and to put 31 questions to him, prompted the President not to wait a day more and to immediately suspend her. Clearly, when the events that

unfolded between the 7 - 10 June 2022, discussed above, are objectively examined, it is irresistible to conclude that the decision of the President was improper.

[161] More importantly, the President as a servant of the Constitution, is under an obligation to obey its commands.[23] He is enjoined to uphold, defend and respect the Constitution. The President had a duty to exercise his public power within the parameters of the law. It is trite that the exercise of public power must comply with the Constitution and the doctrine of legality. To this end, we share the views expressed by the Full Court in **President of the *Republic of South Africa v Office of the Public Protector and Others***,[24] where the court noted that the principle of legality, being an incident of the rule of law, dictates that those who exercise public power, including the President, must comply with the law. The Full Court noted that the role of the rule of law as a form of constitutional control on the exercise of public power was given expression in ***Affordable Medicines Trust and another v Minister of Health and another***,[25] where Ncgobo CJ stated:

> *"[49] The exercise of public power must therefore comply with the Constitution, which is the supreme law, and the doctrine of legality, which is part of the law. The doctrine of legality, which is an incident of the rule of law, is one of the constitutional controls through which the exercise of public power is regulated by the Constitution. It entails that both the Legislature and the Executive 'are constrained by the principle that they may exercise no power and perform no function beyond*

[23] President of the Republic of South Africa and another v Hugo 1997 (4) SA 1 (CC) at para 65.
[24] 2018 (2) SA 100 (GP) at para 66.
[25] 2006 (3) SA 247 at para 49.

that conferred upon them by law'. In this sense the Constitution entrenches the principle of legality and provides the foundations for the control of public power."

[162] In addition, the office of the Public Protector is a very important office in our Country as it strengthens our constitutional democracy. In ***Economic Freedom Fighters v Speaker of the National assembly and Others***[26],the Constitutional Court described the purpose of this office as follows:

> *"The Public Protector is thus one of the most invaluable constitutional gifts to our nation in the fight against corruption, unlawful enrichment, prejudice and impropriety in State affairs and for the betterment of good governance. The tentacles of poverty run far, wide and deep in our nation. Litigation is prohibitively expensive and therefore not an easily exercisable constitutional option for an average citizen."*

[163] The suspension of an office bearer of a Chapter 9 institution, in our view, must be lawful and be exercised within the confines of the law and the Constitution lest there be a degradation of our Constitutional democracy. The President notes quite correctly that he has the power to suspend the applicant; however, he cannot exercise that power on a whim or for flimsy reasons.

[164] The legal position as alluded to by the DA and referred to in paragraph [148] above, namely that the President can be prevented from exercising his powers under section 194(3)(a) of the Constitution if there is an objectively reasonable apprehension of bias, is

[26] 2016 (3) SA 580 (CC) at para 52

the correct legal position. For the above reasons, we are of the view that, indeed, there was an objectively reasonable apprehension of bias which prevented the President from exercising his powers under section 194(3)(a) of the Constitution.

[165] The argument about the existence of the jurisdictional facts to trigger the suspension powers is of no assistance as it does not answer the relevant question of reasonable apprehension of bias.

[166] Also, the argument that it would be constitutionally untenable if an office bearer of a Chapter 9 institution could shield himself or herself from suspension, presupposes that it is only the President who has the power to suspend. That is not the case as the Constitution has put in place adequate measures to deal with situations where the President is not able to personally perform Constitutional functions. This is clear from section 90 (1) of the Constitution, which provides:

> "*When the President is absent from the Republic or otherwise unable to fulfil the duties of President, or during a vacancy in the office of the President, an office-bearer in the order below act as President:*
>
> *(a) The Deputy President.*
> *(b) A Minister designated by the President.*
> *(c) A Minister designated by other members of the Cabinet.*
> (d) *The Speaker, until the National Assembly designates one of its other members.*"

[167] The President is acutely aware of the above provisions and in fact had alluded to them in previous related litigation. Also clear from the above provisions of section 90 of the Constitution is that the President is able to completely remove himself from a situation where he cannot act in that he does not have to be the person delegating the power to act but the members of the Cabinet are able to do the delegation. We consider next the conflict of interest in terms of section 96 of the Constitution.

The section 96 of the Constitution conflict of interest

[168] Relying on the same facts relating to bias or reasonable apprehension of bias, the applicant asserts that the provisions of section 96 of the Constitution disqualified the President from suspending her due to a conflict of interest. In this regard, she relies on the provisions of section 96(2)(b) which state:

> "*Members of the Cabinet and Deputy Ministers may not act in any way that is inconsistent with their office, or expose themselves to any situation involving the risk of a conflict between their official responsibilities and private interests.*"

[169] The applicant relies on that part of section 96(2)(b) which precludes members of the Cabinet from acting in a way that exposes them to any situation involving the risk of "*a conflict between their official responsibilities and private interests.*"

[170] The official responsibilities relied upon by the applicant relate to the exercise of the suspension powers. On the issue of private interests, the applicant relies on her investigation of the President. The investigation by the applicant also relate to the

President's official responsibilities, namely, a breach of the Executive Members Ethics Act and Executive Ethics Code. It certainly appears from questions posed by the applicant in respect of the Phala Phala incident that there is indeed a risk that the President, in suspending the applicant, acted in a manner which exposed him to a situation involving the risk of "*a conflict between (his) official responsibilities and private interests.*"

[171] Given the nature of the allegations made against the President with regard to the Phala Phala incident, involving as it does monies not earned by the President in his official capacity, it is reasonable to assume that the investigation will relate to the President's private interests as well; hence, there is a strong argument to be made that the Phala Phala incident involves a risk of conflict between the President's official and private interests. As the Constitutional Court stated:

> *"To find oneself on the wrong side of section 96 all that needs to be proven is a risk. It does not even have to materialise."*[27]

We now turn to consider the just and equitable remedy.

The just and equitable remedy

[172] The just and equitable remedy sought by the applicant is the setting aside of her suspension. The President made no submissions regarding the just and equitable remedy in the event of this Court setting aside the suspension.

---

[27] Per Mogoeng CJ in Economic Freedom Fighters v Speaker of the National Assembly and others 2016 (3) SA 580 (CC) at paragraph [9] (also known as the "EFF (Nkandla) Judgment")

[173] It was submitted on behalf of the DA that this Court, in the design of a just and equitable remedy, should exercise its power to limit the retrospectivity of its order. In this regard, this Court was referred to the judgment of the Constitutional Court in ***Minister of Police v Kunjana***[28] where the following was stated:

> "*In S v Zuma this Court held that the ability to limit the retrospective effect of orders of invalidity can be used to avoid the dislocation and inconvenience of undoing transactions, decisions or actions taken under the invalidated statute. The Court further held that the interests of individuals must be weighed against the interest of avoiding dislocation to the administration of justice and the desirability of a smooth transition from old to the new.*" (footnotes omitted)

[174] The office of the Public Protector performs a very important function in our Constitutional democracy. By virtue of the provisions of section 2A(7) of the Public Protector Act, the Deputy Public Protector has had to step in and there is no doubt that she has had to make decisions, which would be invalidated if the suspension of the applicant is set aside retrospectively .

[175] An order setting aside the suspension retrospectively would have no practical positive effect. On the other hand, it would risk disrupting the affairs of the office of the Public Protector. We are, thus, of the view that a just and equitable remedy would be to set aside the suspension prospectively. We turn now to the issue of abuse of process.

---

[28] Minister of Police and Others v Kunjana 2016 (9) BCLR 1237 (CC) para 25

Abuse of process

[176] The Speaker, the Chairperson of the Section 194 Committee, and the DA decried the application as an abuse of process by the applicant. On the part of the Speaker and the Chairperson of the Section 194 Committee, the relief sought by the applicant against them was characterised as an impermissible attempt to relitigate the relief she had sought and failed to obtain in Part A. It was submitted that although the relief was somewhat convoluted, in practical terms, the order the applicant sought in both Part A and B were orders:

176.1 prohibiting the National Assembly, and specifically the Section 194 Committee, from continuing with the process under section 194 of the Constitution for her removal pending the outcome of her second application for rescission; and

176.2 directing the Speaker to withdraw her letter to the President dated 10 March 2022.

[177] For its part, the DA recounting related previous litigation, described the application as a 'Stalingrad' litigation strategy which is nothing more than a relentless attempt by the applicant to avoid accountability at all costs.

[178] It is common cause that the relief sought by the applicant against the Speaker and the Chairperson of the Section 194 Committee has failed. That, notwithstanding, in Part A, the relief sought by the applicant was for interim relief pending the application of the final relief she sought in Part B. This was made clear from the start when the applicant

launched the application and it is not a matter of the applicant changing course after failing to obtain interim relief. It is not uncommon for parties to approach the court on an urgent basis seeking interim relief pending the determination of the final relief.

[179] The recounting of the previous related litigation by the DA does not necessarily support the argument that the applicant was, is, and has always been hell-bent on avoiding accountability. A cursory glance at the process relating to the motion to remove the applicant reveals that:

179.1 at the time of the tabling of the first motion for the applicant's removal, the National Assembly had not adopted rules to deal with such motions and it was the applicant who pointed this out. At the time the National Assembly was gearing to deal with the motion, and upon reflection, it held back and embarked on a process which resulted in the adoption of the Rules; and

179.2 upon the National Assembly adopting the Rules, the applicant challenged their Constitutionality on various grounds one of which was ultimately upheld by the Constitutional Court.

[180] The above two points demonstrate that it may not necessarily be fair to describe the applicant's grappling with the matter as a so-called 'Stalingrad' litigation strategy designed to avoid accountability at all costs. This is more so if one considers the potential consequences of the limited legal representation that would have been applicable had

the Constitutional Court not intervened. In the result, we are not satisfied that the application constitutes an abuse of process.

Residual issues

[181] A few residual issues remain before dealing with costs. The first is the application by the President for admission of evidence in terms of rule 6(5)(e) of the Uniform Rules of Court. The application concerned the undertaking the President had made to this Court to make available to the Court his answers to the letter dated 7 June 2022 from the applicant. The purpose of the application was to place before the court an affidavit by his attorney explaining the difficulty the President had in placing his answers before the court as he had been advised by those investigating him not to disclose the answers to third parties. The application was not opposed and was accordingly granted.

[182] Related to the said application, the applicant brought a counter-application that she be provided with the answers by the President. She had already been suspended at the time of her request and it was not immediately clear why she wanted to be provided with the answers. In addition, having regard to the affidavit filed on behalf of the President which demonstrated that the request not to disclose his answers came from the office of the Public Protector, making an order that the applicant be provided with the answers would be tantamount to making an order against the office of the Public Protector without hearing from that entity. This would amount to a breach of one of the basic tenets of our law, the *audi alteram partem* principle, that you need to hear the other side before determining the issue.

[183] The last residual issue relates to an application in terms of rule 6(5)(e) by the Speaker and the Chairperson of the Section 194 Committee in which they sought to place further evidence relating to the outcome of the applicant's second application for rescission she had filed in the Constitutional Court. We considered it unnecessary to admit the new evidence as it would not have had any significant impact on the outcome of the matter. It now remains to deal with costs.

Costs

[184] The Speaker and the Chairperson of the Section 194 Committee have been successful but their counsel made it clear that his clients would not be seeking costs against the applicant in her official capacity. Their prayer for costs against the applicant was contingent on the success of their rule 7 challenge as that would have resulted in the applicant litigating in her personal capacity. The rule 7 challenge was unsuccessful and, accordingly, it appears that an appropriate order would be that the Speaker and the Chairperson of the Section 194 Committee bear their own costs.

[185] The applicant sought an order that the President pays costs personally and on an attorney and client scale. Although the applicant has been successful as against the President, there is no basis for ordering costs against him. The costs of both the applicant and the President have been funded through the public purse and there is certainly no conduct on the part of the President deserving of censure.

[186] The DA has had mixed fortunes in that on the one hand it was successful in so far as its support for the Speaker and the Chairperson of the Section 194 Committee is concerned. On the other hand, it was not successful in so far as the relief against the President is concerned. Having regard to the foregoing, our view is that an appropriate order would be that each party pays its own costs.

Order

[187] In the result, the following order is made:

187.1 It is directed that the matter be heard as one of urgency and the normal rules are dispensed with in terms of rule 6(12)(a);

187.2 The application to amend the notice of motion is granted;

187.3 The application for leave to challenge the authority of Seanego Attorneys Inc to represent the applicant is refused;

187.4 The relief sought in paragraphs 3.1, 3.4, 3.5, 3.6 and 5 of the amended notice of motion is dismissed;

187.5 The decision of the President to suspend the applicant is hereby declared invalid,

187.6 The suspension of the applicant is hereby set aside effectively from the date of this order;

187.7 Each party is to pay its costs.

L G NUKU
Judge of the High Court

M FRANCIS
Judge of the High Court

J D LEKHULENI
Judge of the High Court

APPEARANCES

For the Applicant	Advocate D Mpofu, SC Advocate B Shabalala Advocate H Matlhape
Instructed by:	Seanego Attorneys Inc (ref: Ms N Patel)
For the 1st & 2nd Respondents:	Advocate A Breitenbach, SC Advocate U Naidoo Advocate A Toefy
Instructed by:	Office of the State Attorney, Cape Town (ref: Mr L Manuel)
For the 3rd Respondent:	Advocate K Pillay, SC Advocate N Luthuli
Instructed by:	Office of the State Attorney, Cape Town (ref: Mr M Owen)
For the 5th Respondent:	Advocate S Budlender, SC Advocate M Bishop
Instructed by:	Minde Shapiro & Smith Attorneys (ref: Ms E Jonker)
For the 10th & 11th Respondents:	Advocate T Masuku, SC Advocate M Simelane
Instructed by:	Mabuza Attorneys (ref: Mr E Mabuza)

P O Box 427 Pretoria 0001 South Africa
370 Helen Joseph Street Pretoria 0002
+27 12 313 3911 / 0861 12 7272
Governor@resbank.co.za
www.resbank.co.za

SOUTH AFRICAN RESERVE BANK

Office of the Governor
Lesetja Kganyago

Mr NF Shivambu (MP)
Parliament of South Africa
PO Box 15
Cape Town
8000

Dear Honourable Shivambu

The correspondence received from the Chairperson of the Standing Committee on Finance (SCOF), Honourable Joseph Maswanganyi, MP on 22 August 2022, has reference: Response to letters from Committee Members Hon Floyd Shivambu and Hon Dr George.

In the letter, the Honourable Maswanganyi requested that I respond to the members on how we are processing the matter related to the incident at the farm of President Cyril Ramaphosa, namely Phala Phala.

As I indicated in the Committee Meeting held on 17 August 2022, the SARB has legal and confidentiality matters to consider when responding to information that involves individuals and entities, and we are thus bound by those provisions in law.

I can share with you that the Financial Surveillance Department (Department) of the SARB administers the Exchange Control Regulations and investigates contraventions thereof. Following the allegations presented in media reports regarding the alleged theft of foreign currency at the Phala Phala farm, the Department requested the legal advisors of the President, on 20 June 2022, to provide information and details regarding the origin of the foreign currency and any underlying transaction that it may pertain to. The President's legal advisors were afforded 21 business days to respond, which was subsequently extended for a further period of 15 business days. The Department has since received a response from the President's legal advisors to which further information and details were requested by the Department. A response to this additional request for information is required and expected by no later than 8 September 2022, whereafter the Department will be in a position to progress its investigation into the matter.

It wishes to emphasise that the SARB treats all citizens equally and, in executing our mandate and functions, act independently and without fear, favour or prejudice.

I trust this is in order. Should you have any further queries please do not hesitate to contact my office.

Kind regards

Lesetja Kganyago

Lesetja Kganyago
Governor

Date: 30 August 2022

ANNEXURE IP9 **100**

PARLIAMENT
OF THE REPUBLIC OF SOUTH AFRICA

RULES OF THE NATIONAL ASSEMBLY

9th EDITION

ANNEXURE IP9 101

RULES OF THE NATIONAL ASSEMBLY

9TH EDITION

26 May 2016

The 9th Edition of the Rules of the National Assembly contains the rules as comprehensively revised (necessitating their complete renumbering) and adopted by the National Assembly on 26 May 2016. For ease of reference relevant supporting documents have been included as appendices.

CONTENTS

Rule Page

CHAPTER 1
SOURCES OF AUTHORITY OF ASSEMBLY AND THEIR APPLICATION

Part 1: Definitions

1. Definitions 26

Part 2: Sources of authority of National Assembly

2. Introduction 32
3. Rules of National Assembly 32
4. Suspension or supplementing of rules 33
5. Non-diminution or non-limitation of rules and orders 34
6. Unforeseen eventualities 34
7. Directives and guidelines of Rules Committee 34
8. Rulings 34
9. Conventions and practices 35
10. Contempt 35
11. Application to President of the Republic and other non-members 36

CHAPTER 2
PROCEEDINGS IN CONNECTION WITH COMMENCEMENT OF TERM AND SESSION

12. Convening notice read 37
13. Oath or affirmation by members 37
14. Election of Speaker and Deputy Speaker 37
15. Election of President of Republic 37
16. Opening of a Parliament 38

17. Commencement of annual session 38
18. President's State of the Nation Address 38
19. State of the Nation Address reported 38
20. State of the Nation Address placed on Order Paper 38

CHAPTER 3

PRESIDING OFFICERS AND MEMBERS

Part 1: Presiding Officers

21. Election of Speaker and Deputy Speaker 39
22. Election of other presiding officers 40
23. Officers presiding in the House 40
24. Acting Speaker 40
25. Acting House Chairperson 40
26. General authority and responsibility of Speaker 41
27. Election of temporary presiding officer to act as Speaker 42
28. Removal from office of Speaker or Deputy Speaker 42

Part 2: Members

29. Oath or affirmation 43
30. Declaration of private interests 43
31. Raising a question of privilege 43
32. Leader of the Opposition 44
33. Appointment and responsibilities of whips 44
34. Designation of parliamentary counsellors 45

Part 3: Members' attendance

35. Members' attendance 46
36. Absence from sittings of House 47
37. Sanctions for extended unauthorised absence from sittings of House 47

38. Absence from meetings of committee 48
39. Sanctions for extended unauthorised absence from meetings of committee 48
40. Appeal against application of sanctions 49

CHAPTER 4

SITTINGS OF ASSEMBLY

Part 1: General

41. Forums for proceedings of National Assembly 50
42. Working days and hours of sitting 50
43. Change of venue 51
44. Arrangement of business on Order Paper when no consensus in Programme Committee 51

Part 2: Sittings in plenary

45. Quorum required only for taking decisions 52
46. Opportunity for prayer or meditation 52
47. Sequence of proceedings 52
48. Interruption, suspension or adjournment of proceedings 53

Part 3: Mini-plenary sessions

49. Business of mini-plenary sessions 53
50. Members attending 54
51. Quorum 54
52. Decisions 54
53. Speakers' list 55
54. Presiding officer 56
55. Relief of presiding officer 56
56. Order in meetings and rules of debate 56

Part 4: Public access

57. Admission of visitors 56
58. Access for non-members to floor of Chamber 57
59. Conduct of visitors 57
60. Withdrawal of visitors 58
61. Serjeant-at-Arms to remove visitors 58
62. Invitation to head of state, head of government or other person to address House 58

CHAPTER 5

ORDER IN PUBLIC MEETINGS AND RULES OF DEBATE

Part 1: Order in meetings

63. Freedom of speech 59
64. Conduct of members 59
65. Members not to converse aloud 60
66. Member not to be interrupted 60
67. Precedence of presiding officer 61
68. Irrelevance or repetition 61
69. Grossly disorderly conduct 61
70. Member ordered to leave Chamber 62
71. Naming or suspension of member 62
72. Action against member to be announced in House 62
73. Removal of member from Chamber and precincts 63
74. Period of suspension 65
75. Expression of regret 65
76. Member to withdraw while his or her conduct is debated 65
77. Grave disorder 65

Part 2: Rules of debate

78.	Member to address Chair	66
79.	Recognition of members to speak	66
80.	Control of microphones in Chamber	67
81.	List of speakers and time limits for speeches	67
82.	Reference to member in respectful terms	68
83.	Member not to read speech	68
84.	Unparliamentary or unacceptable language or gestures	68
85.	Reflections upon members, the President and Ministers or Deputy Ministers who are not members of the Assembly	68
86.	Reflections upon decisions or statutes	69
87.	Reflections upon the House and its proceedings and decisions	69
88.	Reflections upon judges and certain other holders of public office	69
89.	Matters sub judice	70
90.	Rule of anticipation	70
91.	Explanations	70
92.	Points of order	71
93.	Acting for absent member	72
94.	When reply allowed	73
95.	Debate closed	73

CHAPTER 6

DECISION OF QUESTIONS

96.	Quorum	74
97.	Questions to be decided by majority	74
98.	Absence of quorum	74
99.	Decision of question postponed	75
100.	Decision of postponed questions	75
101.	Decision of question requiring special majorities	75
102.	Casting of votes	76
103.	Electronic voting system	76

104. Manual voting procedure 77
105. Postponed question put without further debate 77
106. Question put again 77
107. Question fully put 77
108. Declaration of vote 78
109. Recording of opposition 79
110. Demand for division 79
111. Fewer than four members supporting demand for division 79
112. Division bells rung and doors barred 80
113. Procedure after doors barred 80
114. Member calling for division to vote against question 80
115. Members present must vote 80
116. Points of order during division 81
117. Confusion or error concerning division 81
118. Correction of minutes 82

CHAPTER 7
MOTIONS

Part 1: General

119. Nature of motions 83
120. Same question rule 83
121. Amendments to draft resolutions generally 83
122. Amendments to draft resolutions relating to committee reports 84
123. Motions without notice 84
124. Notices of motion 87
125. Acting for absent member 88
126. Speaker may disallow notices 88
127. Motions on questions of privilege 88
128. Withdrawal and lapsing of motion 89

Part 2: Motions of no confidence in terms of Section 102 of Constitution

129. Motions of no confidence in terms of Section 102 of Constitution 89

CHAPTER 8

DISCUSSION OF URGENT MATTERS OF NATIONAL PUBLIC IMPORTANCE

130. Urgent matter of national public importance 91
131. Withdrawal of scheduled discussion on urgent matter of public importance 92

CHAPTER 9

MEMBERS' STATEMENTS AND EXECUTIVE STATEMENTS

132. Statements by members 93
133. Executive statements 94

CHAPTER 10

QUESTIONS

Part 1: General

134. Notice and placing of questions 96
135. Lapsing of questions 97
136. Monitoring replies to questions 97

Part 2: Questions for oral reply

137. Form and arrangement of questions 98
138. Questions to Ministers 99
139. Questions to Deputy President 101
140. Questions to President 102
141. Urgent questions 103

142. Times allotted and time limits 103
143. Unanswered questions for oral reply 104
144. Questions for oral reply standing over 105

Part 3: Questions for written reply

145. Form and placing of questions 106
146. Written reply not given 107

CHAPTER 11
MESSAGES

147. Messages from Council 108
148. Messages to President of the Republic 108
149. Messages from President of the Republic 108

CHAPTER 12
COMMITTEE SYSTEM

Part 1: Introduction

150. List of committees 109
151. Subcommittees 110
152. Application of rules to committees and subcommittees established in terms of legislation 110

Part 2: Rules applicable to committees generally

153. Application of this part 111
154. Composition 111
155. Appointment procedures 111
156. Alternates 112
157. Term of office 112

158. Chairpersons 112
159. Acting chairpersons 113
160. First meetings 114
161. Meetings 114
162. Quorum requirements 115
163. Co-option when members and alternates not available 115
164. Interruption, suspension or adjournment 115
165. Information reflecting upon integrity of members 115
166. Reporting 116
167. General powers 117
168. Privilege of witnesses 118
169. Conferring powers of committees 118
170. Public involvement 119

Part 3: Rules applicable to subcommittees generally

171. Application of this part 119
172. General rules 119
173. Alternates 120
174. Term of office 120
175. Chairpersons 121
176. Acting chairpersons 122
177. Meetings 122
178. Matters relating to quorum 122
179. Decisions 123
180. General powers 123

Part 4: Rules applicable to both committees and subcommittees generally

181. Application of this part 123
182. Conduct of members 123
183. Persons appearing before committees 124
184. Admission of public 124

185. Presence of other Assembly members 125
186. Exclusion of members of public from meetings 126
187. Exclusion of other persons from meetings 126
188. Removal of persons 126
189. Publication or disclosure of proceedings, evidence, reports, etc 127

Part 5: Rules Committee

190. Establishment 128
191. Composition 128
192. Chairperson 129
193. Functions and powers 129
194. Implementation of policy 130
195. Quorum 130
196. Decisions 131
197. Subcommittees 131

Subcommittee on Review of Assembly Rules 131

198. Composition 131
199. Chairperson 132
200. Functions and powers 132

Subcommittee on Physical Removal of Member from Chamber 132

201. Composition 132
202. Chairperson 133
203. Functions and powers 133
204. Public access 133

Part 6: Programme Committee

205. Establishment 134

206. Composition 134
207. Chairperson 134
208. Functions and powers 135
209. Quorum 135
210. Decisions 135

Part 7: Powers and Privileges Committee

211. Establishment 136
212. Composition 136
213. Meetings 136
214. Functions 137
215. Decisions 138

Part 8: Disciplinary Committee

216. Establishment 138
217. Chairperson 139
218. Meetings 139
219. Functions and powers 139
220. Public access 139

Part 9: Forum of Committee Chairpersons

221. Establishment 140
222. Composition 140
223. Chairperson 140
224. Functions and powers 140

Part 10: Portfolio committees

225. Establishment 141
226. Composition 141

227. Functions 141
228. Decisions 142
229. Subcommittees 143

Part 11: Standing Committee on Finance

230. Establishment 143
231. Composition 143
232. Functions and powers 143
233. Consultation 144
234. Subcommittees 144
235. Public involvement 144

Part 12: Standing Committee on Appropriations

236. Establishment 144
237. Composition 144
238. Functions and powers 145
239. Consultation 145
240. Subcommittees 145
241. Mediation 145
242. Public involvement 146

Part 13: Standing Committee on Public Accounts

243. Establishment 146
244. Composition 146
245. Functions and powers 146
246. Decisions 147
247. Subcommittees 147
248. Notice to portfolio committee 148

Part 14: Standing Committee on the Auditor-General

249. Establishment 148
250. Composition 148
251. Functions and powers 148
252. Decisions 149

Part 15: Ad hoc committees

253. Establishment 149
254. Composition 150
255. Decisions 151

Part 16: Other structures relating to Assembly programming and functioning

Chief Whips' Forum *151*

256. Establishment 151
257. Composition 152
258. Chairperson 152
259. Meetings 152
260. Functions and powers 153

Arrangement of House business and certain committee meetings *153*

261. Unusual meetings of committees and subcommittees 153

House Chairperson: Committees *153*

262. Scheduling function of the designated House Chairperson 153

Part 17: Miscellaneous committee matters

263. Composition of Assembly component in Mediation Committee 154
264. Election of Assembly members to Mediation Committee 154
265. Alternates for Assembly representatives in Mediation Committee 155
266. Ad hoc joint committees 155

CHAPTER 13
LEGISLATIVE PROCESS

Part 1: Introduction

267. Legislative powers of Assembly 156
268. Initiation of legislation by Assembly 157
269. Initiation of legislation by national executive 157
270. Application of this chapter 158

Part 2: Steps prior to introduction

Bills initiated by Cabinet members and Deputy Ministers 158

271. Submission of legislative proposals to Speaker 158

Bills initiated by Assembly members in individual capacity 158

272. Preparation of draft Bill 158

Bills initiated by Assembly committees 159

273. Submission of legislative proposals to Speaker 159
274. Preparation of draft Bill 160
275. Consideration of draft Bill before introduction 161

All Bills generally *161*

276. Prior notice and publication of draft legislation 161
277. Notice withdrawing proposed legislation 163
278. Referral of Bills to National House of Traditional Leaders 163

Part 3: Introduction of Bills and First and Second Readings

Introduction and related matters *164*

279. Introduction of Bills in Assembly 164
280. Classification of Bills 166
281. Reintroduction of Bills ruled out of order by JTM 166

First and Second Reading procedures *167*

282. When First and Second Reading procedures are applicable 167
283. Procedure when Assembly in session 167
284. Procedure during recess 168
285. First Reading 169
286. Process in committee 170
287. Referral to Assembly committee if joint committee fails to report 173
288. Committee's report 173
289. Explanation of report 175
290. Second Reading 175
291. Amendments proposed by members before decision of Second Reading 176
292. Referral of amendments proposed in Assembly to Assembly committee 178
293. Referral to Assembly committee if joint committee fails to report 179
294. Consideration of report of Assembly committee or joint committee 179

Part 4: Specific rules applicable to constitution amendment Bills

Specific rules relating to matters in Parts 1 and 2 *180*

295. Requirements prior to introduction of constitution amendment Bill 180
296. Notice withdrawing proposed constitutional amendment 180
297. Introduction of constitution amendment Bill 181
298. Referral of constitution amendment Bill to committee 182
299. Consideration of committee's report and Bill 183
300. Consequences of approval or rejection of Second Reading 184

Reconsideration of constitution amendment Bill if amended by Council *184*

301. Procedure if Council amends Bill 184
302. Debate and decision 185
303. Process if mediation successful 186
304. Consequences of unsuccessful mediation 187

Part 5: Specific rules applicable to Section 75 Bills

305. Application of this part to money Bills 187
306. Consequences of approval or rejection of Second Reading 187

Reconsideration of Section 75 Bills if Council rejects or passes subject to amendments *188*

307. Referral of Bill to Assembly committee 188
308. Committee's report 189
309. Debate and decision 189

Part 6: Specific rules applicable to Section 76(1) Bills introduced in Assembly

310. Consequences of approval or rejection of Second Reading 190

Reconsideration of Section 76(1) Bills if amended by Council *191*

311. Bill to be placed on Order Paper or referred to portfolio committee 191
312. Committee's report 191
313. Debate and decision 192

Process after mediation *192*

314. Process if mediation successful 192
315. Process if mediation unsuccessful 194

Part 7: Specific rules applicable to Section 76(2) Bills introduced in the Council

316. Powers of committee to which Bill is referred 195
317. Consequences of approval or rejection of Second Reading 195

Process after mediation *195*

318. Process if mediation successful 195
319. Consequences of unsuccessful mediation 197

Part 8: Specific rules applicable to money Bills

320. Contents of money Bills 197
321. Introduction of money Bills 197
322. Procedure applicable to money Bills 198
323. Special introductory procedure 198

324. Bills placed on Order Paper for First Reading 198
325. Referral of Bill to Assembly committee 199
326. Consideration of schedule to appropriation Bill 199
327. Supplementary estimates in main appropriation Bill 199
328. Approval of votes and schedule 200
329. Second Reading of money Bill 200
330. Money Bill rejected or passed subject to amendments by Council 200

Part 9: General

331. Second vote on Bill rejected through absence of members 201
332. Same Bill may not be introduced more than once 201
333. Lapsing of Bills on last sitting day of annual session or term of Assembly or when Assembly is dissolved 201
334. Withdrawal of Bill 202
335. Discrepancies in versions of Bill 202

CHAPTER 14

PROCESS FOR WRITTEN INSTRUMENTS OTHER THAN LEGISLATION

Part 1: General

336. Application 203
337. Tabling of written instruments in the Assembly 203
338. Referral of written instruments to committees 204
339. Consideration of matter by committees 204
340. Reporting by committees 205

Part 2: International agreements

341. Submission to Parliament for approval 205
342. Tabling and referral to committee 206
343. Submission to Parliament for information 207

Part 3: Petitions

344. Form of petitions 207
345. Language of petitions 207
346. Signing of petitions 207
347. Lodging 208
348. Approval by Speaker 208
349. Tabling 208
350. Referral of petitions to committees 208

CHAPTER 15

MISCELLANEOUS

Part 1: Lapsing of business before Assembly

351. Lapsing of business on last sitting day of annual session or term of Assembly or when Assembly is dissolved 209

Part 2: Executive government

352. Communication of appointment of Cabinet members and Deputy Ministers and their assigned powers and functions 209
353. Resolutions affecting executive government 210
354. Consent in respect of state-owned land or property 210

Part 3: Abuse of privilege

355. Abuse of privilege 210
356. Fines 211
357. Recovery of fines 211
358. Fines remitted 211
359. Request to have response recorded by persons other than members 211

Part 4: Witnesses

360. Summonsing of witnesses 211
361. Attendance of witnesses detained in prison 212

Part 5: Office of Secretary and records of the Assembly

362. Records of the National Assembly 212
363. Minutes of Proceedings of National Assembly 213
364. Journals of National Assembly 213
365. Custody of papers 213
366. Access to tabled papers 213
367. General duties of Secretary 214

SCHEDULE

Procedure to be followed in the investigation and determination of allegations of misconduct and contempt of Parliament:

Notification to members 215
Outside legal representation 215
Explanation by member 215
Initiator 216
Plea to charge 216
Hearing 216
Penalty 217
Suspension of member 217

APPENDIX A

Policy for attendance of members of Parliament during plenary and meetings of parliamentary committees and forums (Rules 35 to 40):

1. Definitions 218
2. Rationale for policy and minimum standards for attendance 221
3. Purpose of the policy 225
4. Scope of application 226
5. Categories of leave 226
6. Procedure for granting leave 228
7. Period of leave 229
8. Sanctions in respect of absences 229
9. Record of leave applications 230
10. Recourse for grievances in respect of the application of the policy 231
11. Communication of the policy 231

APPENDIX B

Special majorities required in terms of the Constitution of the Republic of South Africa, 1996 (Rule 101):

Part 1: General matters

1. States of emergency (Section 37(2)(b)) 232
2. Bills amending the Constitution (Section 74) 233
3. Ordinary Bills affecting provinces not agreed on by Mediation Committee or rejected by Council (Section 76) 233
4. Bill changing the seat of Parliament (Section 76(5)) 233
5. Motion of no confidence in the President of the Republic or Cabinet (Section 102) 234

Part 2: Appointment of office-bearers or their removal from office

6. Removal of the President of the Republic (Section 89) 234
7. Removal of judges (Section 177) 234
8. Appointment of Public Protector and Auditor-General (Section 193(5)) 234
9. Removal from office of Public Protector and Auditor-General (Section 194(2)) 235
10. Appointment of Inspector-General of Intelligence (Section 210) 235
11. Appointment and removal of members of the Electoral Commission, Commission for Gender Equality and South African Human Rights Commission (Sections 193(5) and 194) 235
12. Appointment of members of Public Service Commission (Section 196(8)) 235

APPENDIX C

Standard operating procedures: Removal of member from Chamber and precincts (Rule 73)

CHAPTER 1

SOURCES OF AUTHORITY OF ASSEMBLY AND THEIR APPLICATION

Part 1: Definitions

1. Definitions

In these rules, unless the context otherwise indicates —

"Assembly" means the National Assembly;

"ATC" means the document entitled Announcements, Tablings and Committee Reports, which supplements the Minutes of Proceedings of the National Assembly;

"attendance" means a member's presence at a sitting of the House, a meeting of a mini-plenary session or any other committee or forum, or at any other official parliamentary activity;

"Chamber" means the Chamber of the National Assembly or any other chamber in which the proceedings of the House and its forums are conducted;

"Chief Whip" means the Chief Whip of the Majority Party;

"classification", with reference to a Bill, means the classification of a Bill in terms of Joint Rule 160(6) or the reclassification of a Bill in terms of Joint Rule 163;

"Constitution" means the Constitution of the Republic of South Africa, 1996;

"constitutional institution" means —

(a) any state institution mentioned in Section 181 of the Constitution; or

(b) any other institution established, or of which the establishment is required, in terms of a specific provision of the Constitution, including the constitutional institutions listed in Schedule 1 of the Public Finance Management Act, 1999;

"constitution amendment Bill" means a Bill to which Section 74 of the Constitution applies;

"Council" means the National Council of Provinces;

"document" means any written instrument, and includes any electronic or other device in or on which information, including visual material, is recorded, stored or kept;

"duration of the House" means the term of the House or the remaining part of its term at any time;

"formal motion" means a motion of a procedural nature that in terms of Rule 123 does not require notice;

"forum" in relation to the Assembly means any formal gathering of members of the Assembly as provided for in the rules and orders to conduct the business of the Assembly, and includes sittings of the House, mini-plenary sessions of the House, and meetings of committees and other relevant structures of the Assembly;

"Gazette" means the national Government Gazette;

"House" means the Assembly unless otherwise specified;

"JTM" means the Joint Tagging Mechanism established by Joint Rule 151;

"member" means a member of the Assembly;

"mini-plenary session" means a subordinate meeting of the House for debating purposes only and involving a reduced number of members, as provided for in Rules 49 to 56;

"misconduct" in these rules means a breach of the standing rules of Parliament by a member, except a breach of the code of conduct contained in the schedule to the Joint Rules or conduct amounting to contempt of Parliament as defined in the Powers and Privileges Act;

"money Bill" means a Bill that appropriates money or imposes taxes, levies or duties and to which Section 77 of the Constitution applies;

"motion" means —

(a) a proposal made by a member in the form of a draft resolution that the Assembly do something, order something to be done or express an opinion concerning some matter; or

(b) a proposal made by a member that the Assembly discuss a subject presented by the member for that purpose;

"official parliamentary activities" means any business or activity of Parliament, including plenary sittings, committee meetings, study tours, workshops, parliamentary forums or any other parliamentary activity sanctioned by the Assembly, or its committees or presiding officers, as duly authorised;

"organ of state" means any executive organ of state in the national sphere of government as contemplated in Section 55(2) and defined in Section 239 of the Constitution;

"Parliamentary Protection Services" means any employee authorised by Parliament to perform security and protection services within the precincts of Parliament, and includes all parliamentary staff members employed, appointed, assigned, delegated or contracted by Parliament to perform security and protection functions within the precincts of Parliament;

"party whip" means a member designated by the leadership of a party to oversee and guide the conduct of its members in relation to the rules and the decorum and business of the House or a committee, and to perform such further functions as the House may prescribe;

"person in charge" —

(a) with reference to a Bill introduced by a Cabinet member, a Deputy Minister or an Assembly member, means that Cabinet member, Deputy Minister or Assembly member;

(b) with reference to a Bill introduced by an Assembly committee, means the chairperson or any other member of the committee designated by the committee;

(c) with reference to a money Bill, means the Cabinet member responsible for national financial matters;

(d) with reference to a Section 76(2) Bill introduced on behalf of a Cabinet member or Deputy Minister in the Council, means that Cabinet member or Deputy Minister;

(e) with reference to a Section 76(2) Bill introduced in the Council, other than Bills referred to in Paragraph (d), means the Assembly member designated in terms of Joint Rule 217(2);

(f) with reference to a committee report, means the member who introduces the report in the House on behalf of the committee; and

(g) with reference to a motion, means the member who gives notice of the motion and/or moves the motion in the House;

"point of order" means a matter related to the procedure or practice of the House, or a complaint of unparliamentary conduct or behaviour on the part

of another member, which a member is entitled to raise during the sitting of the House or committee when seeking guidance and a ruling on the matter from the presiding officer;

"Powers and Privileges Act" means the Powers, Privileges and Immunities of Parliament and Provincial Legislatures Act, 2004;

"precincts of Parliament" means the precincts referred to in Section 2 of the Powers and Privileges Act;

"private member" means any member other than a Minister, a Deputy Minister, the Speaker and the Deputy Speaker;

"question", except in respect of question time or a question period and a question of privilege, means a proposal presented to the Assembly or a committee of the Assembly by the presiding officer for consideration and decision or disposal in some manner;

"question of privilege" means any report of an act which may constitute a breach of privilege or contempt of Parliament in terms of the Powers and Privileges Act;

"Question Paper" means, as applicable, the Question Paper produced for a particular question day or an Internal Question Paper containing all current questions that still have to be replied to;

"recess", with reference to the Assembly, means a period determined as a recess by the Programme Committee, or by resolution of the Assembly, during which, subject to Rule 167, no business of the Assembly is conducted;

"Secretary" means the Secretary to Parliament;

"Section 75 Bill" means a Bill to which the procedure prescribed in Section 75 of the Constitution applies;

"Section 76(1) Bill" means a Section 76 Bill introduced in the Assembly;

"Section 76(2) Bill" means a Section 76 Bill introduced in the Council;

"session", except in the context of a mini-plenary session as contemplated in Part 3 of Chapter 4, means an annual session of a Parliament;

"sitting day" means a day on which the Assembly sits or a mini-plenary session is held;

"special petition" means a petition requesting a pension or other specific or personal relief from the state which is not authorised by law;

"subject of a Bill" means the objects of the Bill as introduced in the Assembly and the substance of the Bill to give effect to those objects;

"substantive motion", with reference to a member or the holder of an office specified in Rule 88, means a self-contained proposal in terms of Rule 85 or Rule 88 for separate consideration by the House, relating to any charge against that member or office-bearer;

"tabling", in relation to any document or paper, means the official presentation of the document or paper in the House, or, if not presented in the House, the publication in the ATC of the document or paper after it has been officially submitted to the Speaker;

"term", in relation to the Assembly, means the period for which the Assembly is elected in terms of Section 49(1) of the Constitution; and

"working day" means any day of the week except —

(a) Saturday and Sunday;

(b) a public holiday in terms of the Public Holidays Act, 1994; and

(c) a Monday following any of these public holidays that fall on a Sunday.

Part 2: Sources of authority of National Assembly

2. Introduction

The sources of authority of the National Assembly are —

(a) the Constitution;

(b) the Powers and Privileges Act and any other applicable legislation;

(c) the Rules of the National Assembly;

(d) the Joint Rules of Parliament, if and when applicable;

(e) orders or any other binding decision of the National Assembly;

(f) directives and guidelines of the Rules Committee;

(g) rulings by the Speaker and other presiding officers; and

(h) any conventions or practices that have been established in the National Assembly by agreement and usage over a period of time.

3. Rules of National Assembly

(1) The Rules of the National Assembly are adopted by resolution of the House in accordance with Section 57 of the Constitution.

(2) The rules remain in force until amended or repealed.

(3) The rules must be strictly adhered to by members.

4. Suspension or supplementing of rules

(1) Any provision of these rules relating to the business or proceedings at a sitting of the House or a mini-plenary session, or of a committee of the House or any other forum of the House, may be suspended by resolution of the House.

(2) The suspension of any provision must be limited in its operation to the particular purpose and period for which such suspension has been approved.

(3) Any motion to adopt or amend any rule or to suspend any provision of these rules requires notice in accordance with Rule 123.

(4) At least one third of the members of the House must be present before a decision may be taken to suspend any provision of these rules but a majority of the members of the House must be present before a decision may be taken to adopt or amend any rule.

(5) The National Assembly may by resolution, subject to these rules, make an order supplementing these rules in accordance with Section 57 of the Constitution; provided that —

(a) a standing order of the House remains in force until amended or repealed; and

(b) a sessional order of the House, identified as such by the House, remains in force —

(i) until the period of its validity, as specified in the order, has expired; or

(ii) until the end of the last sitting day of the session within which it was made;

provided that a sessional order may be amended or repealed at any time.

5. Non-diminution or non-limitation of rules and orders

No convention or practice may limit or inhibit any provision of these rules or any order of the House.

6. Unforeseen eventualities

(1) The Speaker may give a ruling or frame a rule in respect of any eventuality for which these rules or orders of the House do not provide, having due regard to the procedures, precedents, practices and conventions developed by the House and on the basis of constitutional values and principles underpinning an open, accountable and democratic society.

(2) A rule framed by the Speaker remains in force until the House, based on a recommendation of the Rules Committee, has decided thereon.

7. Directives and guidelines of Rules Committee

(1) The Rules Committee may, in terms of Rule 193, issue directives and lay down guidelines to assist with the implementation of these rules and orders of the House.

(2) Members must comply with any such directives and guidelines.

8. Rulings

(1) The Speaker must perform the functions as provided for in these rules and may make rulings in applying and interpreting these rules, orders of the House and directives and guidelines approved by the Rules Committee.

(2) The Speaker and other presiding officers may make rulings in accordance with Subrule (1) in respect of procedural matters that arise when they are presiding at a sitting of the House or a mini-plenary session.

(3) Members must comply with rulings made by presiding officers.

(4) (a) A member may request that a ruling be referred to the Rules Committee for consideration and report.

(b) In considering a ruling referred to it in terms of Subrule (4(a), the Rules Committee must confine itself to the principle underlying, or subject of, the ruling in question.

9. Conventions and practices

(1) Conventions and practices relating to the business of the House and its committees and other forums are established by agreement amongst political parties and parliamentary office-bearers, and may be varied by agreement amongst them and reviewed from time to time as decided by the Rules Committee.

(2) Conventions and practices must be consistent with the provisions of the Constitution, these rules, orders of the House, rulings, and directives and guidelines of the Rules Committee.

(3) Presiding officers may request members' compliance with established conventions and practices.

10. Contempt

A member who wilfully fails or refuses to obey any rule, order or resolution of the House may be found guilty of contempt of Parliament in terms of the Powers and Privileges Act, 2004.

11. Application to President of the Republic and other non-members

(1) These rules and orders of the House apply, as appropriate, to the President of the Republic as they apply to a Minister.

(2) A reference in these rules and orders of the House to a member or a Minister must, where applicable, be construed as a reference also to the President of the Republic, and to the Deputy President, or a Minister or Deputy Minister who is not a member of the House.

CHAPTER 2

PROCEEDINGS IN CONNECTION WITH COMMENCEMENT OF TERM AND SESSION

12. Convening notice read

At the commencement of the proceedings of the National Assembly on the first day of its first session, the Secretary or an officer of Parliament nominated by him or her, must read the notice convening the House under Section 51(1) of the Constitution.

13. Oath or affirmation by members

When the convening notice has been read at the commencement of the proceedings of the House on the first day on which it meets after a general election at which members of the House were elected, such members must be sworn in or make affirmation before the Chief Justice or a judge designated by the Chief Justice, in accordance with Section 48 read with Schedule 2 to the Constitution.

14. Election of Speaker and Deputy Speaker

At the first sitting after its election, the National Assembly must, in accordance with Sections 52(1), (2) and (3), read with Schedule 3 to the Constitution, elect one of its members to be the Speaker and thereafter another to be the Deputy Speaker of the House.

15. Election of President of the Republic

At the first sitting, after its election of a Speaker and a Deputy Speaker, the House must in accordance with Sections 86(1) and (2), read with Schedule 3 to the Constitution, elect one of its members as the President of the Republic.

16. Opening of a Parliament

(1) At the commencement of the first session of a Parliament after its election the President must deliver an Opening Address at a date and time to be announced by the Speaker.

(2) The Speaker must thereafter publish the Opening Address in the Minutes of Proceedings and place it on the Order Paper for discussion.

17. Commencement of annual session

The Speaker must inform the House of the date and time on which an annual session of the House will commence, as determined by the Programme Committee in accordance with Rule 210.

18. President's State of the Nation Address

The Speaker must inform the House of the date and time for the President's annual State of the Nation Address.

19. State of the Nation Address reported

The Speaker must publish the President's State of the Nation Address in the Minutes of Proceedings.

20. State of the Nation Address placed on Order Paper

When the President has delivered the State of the Nation Address, the Speaker must place it on the Order Paper of the House for discussion.

CHAPTER 3

PRESIDING OFFICERS AND MEMBERS

Part 1: Presiding Officers

21. Election of Speaker and Deputy Speaker

(1) (a) Whenever it is necessary to elect a Speaker, the Secretary or an officer of Parliament nominated by him or her, must inform the National Assembly accordingly, whereupon the House must immediately or at a time announced by the Secretary or such officer proceed to the election in terms of Section 52 of the Constitution.

(b) The Chief Justice or another judge designated by the Chief Justice presides over the election of the Speaker.

(2) (a) Whenever it is necessary to elect a Deputy Speaker, the Speaker must inform the National Assembly, whereupon the House must immediately or at a time announced by the Speaker proceed to the election in terms of Section 52 of the Constitution.

(b) The Speaker presides over the election of a Deputy Speaker.

(3) The member elected must be given the opportunity, from his or her place, to make an acceptance speech.

22. Election of other presiding officers

(1) The House must elect three members as House Chairpersons for the duration of the House.

(2) The Speaker must allocate functions and responsibilities to the House Chairpersons and announce such allocations in the ATC.

23. Officers presiding in the House

The Deputy Speaker or a House Chairperson must preside during a sitting of the House whenever requested to do so by the Speaker.

24. Acting Speaker

(1) Whenever the Speaker is absent or unable to perform the functions of the office of Speaker, or whenever that office is vacant, the Deputy Speaker must act as Speaker.

(2) Whenever both the Speaker and the Deputy Speaker are absent or unable to perform the functions of the office of Speaker, the Speaker or, if the Speaker is not available, the Deputy Speaker, must designate one of the House Chairpersons to act as Speaker.

25. Acting House Chairperson

Whenever the House has been informed of the likelihood of the continued absence of both the Speaker and the Deputy Speaker for longer than seven consecutive parliamentary working days, the House may elect a member to act as House Chairperson while the House Chairperson so designated acts as Speaker, until the Speaker or the Deputy Speaker becomes available or the House decides otherwise.

26. General authority and responsibility of Speaker

(1) In exercising the authority of the Speaker, as provided for in the Constitution and legislation and the rules of Parliament, the Speaker must —

(a) ensure that the National Assembly provides a national forum for public consideration of issues, passes legislation and scrutinises and oversees executive action in accordance with Section 42(3) of the Constitution;

(b) ensure that parties represented in the National Assembly participate fully in the proceedings of the Assembly and its committees and forums, and facilitate public involvement in the processes of the Assembly in accordance with Sections 57 and 59 of the Constitution; and

(c) whenever possible, consult with relevant office-bearers and structures within Parliament to achieve the efficient and effective functioning of Parliament in a transparent and accountable manner.

(2) The Speaker must maintain and preserve the order of and the proper decorum in the House, and uphold the dignity and good name of the House.

(3) The Speaker is responsible for the strict observance of the rules of the House and must decide questions of order and practice in the House, such a ruling being final and binding as provided for in Rule 92.

(4) The Speaker must act fairly and impartially and apply the rules with due regard to ensuring the participation of members of all parties in a manner consistent with democracy.

27. Election of temporary presiding officer to act as Speaker

Whenever the House has been informed that the elected presiding officers are unavoidably absent, the House must immediately elect one of its members to act as Speaker for that day only, the question being put by the Secretary.

28. Removal from office of Speaker or Deputy Speaker

(1) The House may remove the Speaker or Deputy Speaker from office by resolution in terms of Section 52(4) of the Constitution.

(2) A motion for the removal of the Speaker from office must comply, to the satisfaction of the Deputy Speaker, with the prescripts of any relevant law or any relevant rules and orders of the House and directives and guidelines approved by the Rules Committee before being placed on the Order Paper, and must include the grounds on which the proposed removal from office is based.

(3) In respect of a motion for the removal of the Deputy Speaker from office, the Speaker must approve compliance as contemplated in Subrule (2).

(4) The Deputy Speaker or Speaker, as applicable, may request an amendment of or in any other manner deal with a relevant motion that does not comply with the requirements as contemplated in Subrule (2).

(5) The Deputy Speaker or Speaker, as applicable, must accord an approved motion under this rule due priority and, before scheduling it, must consult with the Chief Whip of the Majority Party.

(6) The debate on a motion under this rule may not exceed the time

allocated for it by the Deputy Speaker or Speaker, as applicable, after the required consultation.

(7) A majority of the members of the Assembly must be present when the resolution is adopted.

Part 2: Members

29. Oath or affirmation

Other than immediately after a general election, new members may, in accordance with Item 4(2) of Schedule 2 to the Constitution —

(a) at a sitting of the House, be announced and conducted to the Table by not more than two members in order to be sworn in or to make affirmation before the presiding officer; or

(b) at any time by arrangement be sworn in or make affirmation before the Speaker in the Speaker's chambers, the Speaker reporting accordingly to the House at the first opportunity.

30. Declaration of private interests

If a member has a personal or private financial or business interest in any matter before a forum of the Assembly of which he or she is a member, he or she must at the commencement of engagement on the matter by the forum immediately declare that interest in accordance with the code of conduct contained in the schedule to the Joint Rules and comply with the other provisions of the code.

31. Raising a question of privilege

(1) A member who wishes to raise a perceived breach of privilege must report it to the Speaker without delay.

(2) If the alleged breach of privilege is in the Speaker's opinion adequately substantiated and may affect a sitting of the House on the day on which the question of privilege is reported or in the immediate future, the Speaker may, with due regard to the provisions of the Powers and Privileges Act —

(a) make an immediate ruling on the matter and announce it in the House; or

(b) provide the member with an opportunity during the sitting to move an urgent motion without notice in terms of Rules 123(1)(b) and 127.

(3) If the alleged breach of privilege does not directly affect a sitting of the House in the immediate future, the Speaker must refer the matter to the Powers and Privileges Committee and inform the House accordingly, either immediately or at the earliest opportunity.

32. Leader of the Opposition

(1) The leader of the largest opposition party in the Assembly must be recognised as the Leader of the Opposition as contemplated in Section 57(2)(d) of the Constitution.

(2) In the event that two or more opposition parties qualify as the largest opposition party in that they hold an equal number of seats in the House, the leader of the opposition party that obtained the most votes in the election must be recognised as the Leader of the Opposition.

33. Appointment and responsibilities of whips

(1) At the first meeting of the Rules Committee after an election, or as soon as possible thereafter, the Rules Committee must determine the number of whips to be allocated to parties represented in the House.

(2) The Speaker must appoint whips on the recommendation of the leaders of the parties which qualify for whips.

(3) (a) Parties which do not qualify for a whip may jointly request the Speaker to appoint one or more whips from amongst their number to represent their interests, or to alter the appointments previously made under this subrule.

(b) In considering such a request, the Speaker must apply guidelines approved by the Rules Committee for that purpose.

(4) The names of the appointed whips must be published in the ATC.

(5) (a) The functions of the whippery are —

(i) in general, to be responsible collectively for the maintenance of the proper decorum of the House and the orderly conduct of the business of the House, and

(ii) to co-ordinate the business of their parties in Parliament for purposes of facilitating the political management of Parliament.

(b) The Chief Whip of the Majority Party and other chief whips must additionally perform the functions prescribed in the rules.

(c) The House may approve recommendations by the Rules Committee to provide for any further responsibilities, duties or functions of the parliamentary whippery.

34. Designation of parliamentary counsellors

(1) The Speaker may, on the recommendation of the President and the Deputy President, designate two members as parliamentary counsellors to the President and the Deputy President, respectively.

(2) The parliamentary counsellors must facilitate communication between the National Assembly and the offices of the President and Deputy President, respectively.

(3) The names of the designated parliamentary counsellors must be published in the ATC.

Part 3: Members' attendance

35. Members' attendance

(1) Subject to minimum standards as provided for in these rules, members' attendance of official parliamentary activities is regulated by their political parties.

(2) A member's absence from Parliament during a parliamentary session, other than during a formal recess or resulting from the member's suspension in terms of these rules and orders of the House, must be approved by the member's political party in Parliament.

(3) A member, or the party whip assigned responsibility for members' leave by the party, must inform —

(a) the party's duty whip; or

(b) the chairperson of a relevant committee,

of the member's approved absence from a sitting of the House or a committee meeting, respectively.

(4) All political parties must —

(a) maintain proper leave records for their members in accordance with an attendance policy for members formally approved by Parliament; and

(b) annually, within 14 days after the last sitting day of the session, submit the attendance records of their members to the Speaker for publication in the ATC.

[See Appendix A for the leave policy approved by the Joint Rules Committee]

36. Absence from sittings of House

(1) The period for which leave may be granted to a member by the member's party, other than maternity leave and parental/adoption leave as provided for in the approved attendance policy, may not exceed 15 consecutive sitting days in a session.

(2) Leave may be requested of the House by motion for a member's absence in excess of 15 consecutive sitting days, the leave to be requested not later than by the close of the fifteenth consecutive sitting day of the member's absence.

(3) The motion presented to the House must state the reasons for the request and the period for which continued leave of absence is sought.

(4) If the motion requesting leave of absence is rejected by the House, the reasons for such rejection must be put to the House by way of a formal amendment to the motion, and the motion as amended must be supplied to the member and the member's party in Parliament without delay.

37. Sanctions for extended unauthorised absence from sittings of House

(1) A member who absents himself or herself for 15 or more consecutive sitting days of the Assembly without authorisation as provided for in these rules, loses his or her membership of the National Assembly in accordance with Section 47(3)(b) of the Constitution.

(2) The Speaker must without delay inform a member and the member's party of the member's loss of his or her membership of the Assembly in terms of this rule.

38. Absence from meetings of committee

(1) A member may not without his or her party's approval be absent from more than two consecutive meetings of a committee to which the member has been appointed as a full member in terms of the rules.

(2) A member's approved absence from a meeting of a committee referred to in Subrule (1) must be recorded in the minutes of the meeting as formally adopted by the committee.

(3) The secretary to a committee must without delay send a copy of the formal minutes of each meeting of the committee to the responsible whip of each of the parties represented on the committee.

(4) The Secretary must every three months within a session submit a report to the Speaker on all members who have been absent from three or more consecutive meetings of a committee without approval as recorded in the committee's minutes.

39. Sanctions for extended unauthorised absence from meetings of committee

(1) A member who is absent from three or more consecutive meetings of a committee referred to in Rule 38(1) without his or her party's approval may be fined an amount to be determined by the Rules Committee from time to time for each day of absence.

(2) The Speaker must inform the member without delay of the imposition of a fine in terms of this rule.

40. Appeal against application of sanctions

(1) A member who feels aggrieved by the sanction imposed upon him or her in terms of Rule 37 or 39 may lodge a formal appeal with the Speaker within 14 days of being notified of the application of the sanction.

(2) If the Speaker is unable to resolve the appeal on reasonable grounds, the Speaker must refer the appeal to a committee to be determined by the Rules Committee.

(3) The committee must report its findings to the House.

(4) The Speaker must report any sanction imposed or appeal processed in terms of these rules to the House.

CHAPTER 4
SITTINGS OF ASSEMBLY

Part 1: General

41. Forums for proceedings of National Assembly

(1) Subject to the Constitution and these rules, proceedings of the National Assembly may be conducted at sittings of the House or in mini-plenary sessions of the House.

(2) Subject to Section 59 of the Constitution, sittings of the House and its forums in terms of Subrule (1) must be held in public.

42. Working days and hours of sitting

(1) Mondays, Tuesdays, Wednesdays, Thursdays and Fridays, excluding official public holidays, are parliamentary working days.

(2) Unless otherwise determined by the Programme Committee in accordance with Rule 210, the House may consider business on these days during the following times:

(a) Mondays to Thursdays: 14:00, or such later time as the Speaker determines, to adjournment.

(b) Fridays: 09:00, or such later time as the Speaker determines, to adjournment.

(3) The Speaker may, in exceptional circumstances, after consultation with the Leader of Government Business and party whips, allow the House to sit on any other day.

43. Change of venue

(1) The Speaker may in an emergency or on grounds of security —

(a) in terms of Section 51(3) of the Constitution, after consultation with the Leader of Government Business and the chief whips or party representatives of each party in the House, direct that the National Assembly sit at a place other than the seat of Parliament in Cape Town; and

(b) after consultation with the Leader of Government Business and the chief whips or party representatives of each party in the House, direct that a sitting of the House be held, or resumed, in a different chamber within the precincts.

(2) The Assembly may on grounds of public interest or convenience, in terms of Section 51(3) of the Constitution, resolve to sit at a place other than the seat of Parliament in Cape Town, provided that the resolution —

(a) identifies the public interest or convenience that is the reason for the change of venue; and

(b) approves the change of venue to a specified place and for a specific period.

44. Arrangement of business on Order Paper when no consensus in Programme Committee

(1) If no consensus could be reached in the Programme Committee in accordance with Rule 210 on the programme of business for a particular sitting day or if the Programme Committee has not made a detailed determination for any sitting day, the Chief Whip of the Majority Party must, subject to these rules and particularly any rule providing that the Speaker must exclusively make a specific programming decision, arrange the business of the Assembly on the Order Paper for that day —

(a) with the concurrence of the Speaker, and the Leader of Government Business when any government business is prioritised; and

(b) after due consideration of the views and directions of the Programme Committee.

(2) The Secretary must, on instruction of the Speaker, draw up the order of business as agreed to in terms of Subrule (1) for each sitting.

Part 2: Sittings in plenary

45. Quorum required only for taking decisions

The Assembly may proceed with its business irrespective of the number of members present, but may vote on a Bill or decide on any question only if a quorum is present in terms of Rule 96.

46. Opportunity for prayer or meditation

At the commencement of parliamentary business on every sitting day the presiding officer must afford members an opportunity for silent prayer or meditation.

47. Sequence of proceedings

(1) Subject to the Constitution and these rules, and unless altered by resolution of the House, the business on each sitting day of the House must follow the following sequence of events:

(a) Opportunity for silent prayer or meditation;
(b) announcements from the Chair;
(c) swearing in of new members;
(d) formal motions moved by the Chief Whip;
(e) statements by Cabinet members; and
(f) orders of the day and notices of motion on the Order Paper, which must be dealt with in sequence; provided that precedence must be given to questions on question days.

(2) Subject to Subrule (1), and unless altered by resolution of the House, the business on any sitting day of the House may additionally include any event below, after the business under Subrule (1) has been completed and if included during any sitting must follow the following sequence of events:

(a) Any other formal motions;

(b) motions without notice;

(c) opportunity for statements by members and responses to statements by Cabinet members;

(d) notices of motion; and

(e) petitions.

48. Interruption, suspension or adjournment of proceedings

(1) The presiding officer may interrupt, suspend or adjourn the proceedings of the House.

(2) The presiding officer may in consultation with the Leader of Government Business adjourn the House until a parliamentary working day other than the next scheduled sitting day as determined by the Programme Committee in accordance with Rule 210; provided that during such adjournment the Speaker may accelerate or postpone the date for the resumption of business.

Part 3: Mini-plenary sessions

49. Business of mini-plenary sessions

(1) The Speaker refers matters for consideration in a mini-plenary session after due consideration of the views and directions of the Programme Committee.

(2) Any matter may be discussed or debated in a mini-plenary session.

(3) No more than three mini-plenary sessions may take place simultaneously.

(4) Mini-plenary sessions are held in the precincts of Parliament, but in special circumstances the Speaker may direct that a mini-plenary session may be held elsewhere.

50. Members attending

(1) A mini-plenary session in respect of a budget vote of a particular department or on a Bill or oversight matter related to that department consists of the members of the corresponding portfolio committee, and all other Assembly members who attend the proceedings of the mini-plenary session.

(2) A mini-plenary session in respect of any matter other than a matter referred to in Subrule (1) consists of all Assembly members who attend the proceedings of the mini-plenary session.

51. Quorum

A mini-plenary session may proceed with its business irrespective of the number of members present.

52. Decisions

(1) No decisions may be taken in a mini-plenary session.

(2) In the event that a decision is required on a budget vote debated in a

mini-plenary session, such decision must be deferred to be taken by a plenary session of the House, provided that when the decision is taken in the House —

(a) no further debate on the matter may be allowed; and

(b) declarations of vote must be permitted subject to Rule 108(5).

53. Speakers' list

(1) A mini-plenary session does not make use of a speakers' list, except in the event of a debate on a budget vote when a speakers' list must be used.

(2) In referring a matter for consideration to a mini-plenary session in terms of Rule 49(1), the Speaker must —

(a) allocate time for the debate on that matter, including time for participation by the person in charge, provided that if the person in charge is a member of the executive the time allocated to him or her must be determined in consultation with the Leader of Government Business; and

(b) set a time limit for speeches by all participating members other than the person in charge.

(3) When a speakers' list is not used, the presiding officer must, in a balanced manner, allow speakers from all parties to participate in the debate or discussion, subject to any time limit imposed in terms of Subrule (2).

(4) A member may participate in a debate in a mini-plenary session more than once if recognised by the presiding officer.

54. Presiding officer

The Chair of a miniplenary session must be taken by —

(a) an elected presiding officer; or

(b) any other member,

appointed by the Speaker for that purpose.

55. Relief of presiding officer

A member attending a mini-plenary session must take the Chair whenever requested to do so by the presiding officer.

56. Order in meetings and rules of debate

In addition to these rules, the rules generally applicable to plenary sessions of the House are also applicable to the proceedings of a mini-plenary session.

Part 4: Public access

57. Admission of visitors

(1) The power to admit visitors to the places set apart for them in the Chamber or public galleries of the Chamber or in any other venue in which the House or a mini-plenary session or a committee of the House is meeting, or to regulate or limit any activity, access or movement of visitors whilst within the precincts of Parliament or a venue utilised for parliamentary work, vests in the Speaker, subject to Section 59 of the Constitution.

(2) Unless the Speaker directs otherwise in respect of a particular visitor or group of visitors, all visitors must, in an appropriate manner, be subjected to a security check or screening before entering the precincts of Parliament or the Chamber or any venue utilised for parliamentary work and, if reasonable cause exists, any visitor may at any time while within the precincts of Parliament or a venue utilised for parliamentary work, be subjected to a security check or screening.

(3) If any visitor refuses in any manner whatsoever to comply with the procedures in Subrules (1) and (2), such visitor may be refused access to the precincts of Parliament or any such venue or may be immediately removed from the precincts of Parliament or such venue by the Parliamentary Protection Services, who may in exercising that duty be assisted by members of the security services acting on or in terms of the instruction of the Speaker.

(4) The House may approve an operational manual, as recommended by the Joint Rules Committee, for the use of members of the Parliamentary Protection Services or security services for purposes of exercising this and any other function in terms of the Powers and Privileges Act and these rules.

58. Access for non-members to floor of Chamber

The Speaker may give a non-member access to the floor of the Chamber during a sitting of the House or a mini-plenary session in special circumstances.

59. Conduct of visitors

Visitors admitted in terms of Rule 57 may not disrupt the proceedings in any manner and must adhere to the directives of the presiding officer and members of the Parliamentary Protection Services and the security services.

60. Withdrawal of visitors

The presiding officer may, whenever he or she thinks it reasonable and justifiable in an open and democratic society to do so, order visitors to withdraw from the precincts of the House or a mini-plenary session and the places set apart for them in a Chamber, or from the precincts of Parliament.

61. Serjeant-at-Arms to remove visitors

When instructed by the presiding officer, the Serjeant-at-Arms must remove, or arrange with the Parliamentary Protection Services in terms of Rule 57(3) for the removal of, any person who —

(a) without permission is present in that part of the Chamber designated for members only or in another place within the precincts of Parliament or any other venue utilised for parliamentary work which is out of bounds for that person; or

(b) disrupts the proceedings of the House or a mini-plenary session or a committee or any other forum of the House or does not withdraw when duly ordered to do so.

62. Invitation to head of state, head of government or other person to address House

(1) The Speaker, after consultation with or at the request of the Leader of Government Business, may invite a head of state or a head of government who is on an official visit to the Republic to address the House.

(2) The National Assembly may by resolution invite any person to address the House.

CHAPTER 5

ORDER IN PUBLIC MEETINGS AND RULES OF DEBATE

Part 1: Order in meetings

63. Freedom of speech

(1) In accordance with Section 58(1)(a) of the Constitution, Cabinet members, Deputy Ministers and members of the National Assembly have freedom of speech in the Assembly and in its committees, subject to its rules and orders.

(2) In accordance with Section 58(1)(b) of the Constitution, Cabinet members, Deputy Ministers and members of the National Assembly are not liable to civil or criminal proceedings, arrest, imprisonment or damages for anything that they have said in, produced before or submitted to the Assembly or any of its committees, or anything revealed as a result of anything that they have said in, produced before or submitted to the Assembly or any of its committees.

(3) The provisions of Subrules (1) and (2) also apply to proceedings in a mini-plenary session and other forums of the Assembly.

64. Conduct of members

Members must at all times accord the presiding officers of the National Assembly and members due respect and conduct themselves with dignity and in accordance with the decorum of the House and are required —

(a) to enter or leave the House with decorum;

(b) to be seated when the bells stop ringing to mark the start of proceedings;

(c) to rise, if possible, when the presiding officer enters the Chamber at the start of proceedings and to remain standing until invited to be seated;

(d) not during proceedings to pass between the Chair and the member who is speaking, nor between the Chair and the Table, nor to stand in any of the aisles or cross aisles, nor to cross the floor of the House in front of the benches;

(e) not to bring weapons of any kind nor dangerous or threatening articles or objects nor replicas of any such articles or objects into the Chamber, excluding cultural objects with the prior approval of the Speaker;

(f) to dress in a manner befitting the dignity and decorum of the House, as may further be provided for in guidelines approved by the Rules Committee; provided that no party symbols may be displayed;

(g) not to take photographs or video footage during proceedings, speak on a cellphone, eat, read newspapers or in any other way conduct themselves in a manner not befitting the dignity and decorum of the House; and

(h) on adjournment of the House, to rise, if they are able to do so, and remain in their allocated seats until the presiding officer has left the Chair.

65. Members not to converse aloud

Members may not converse aloud during debate.

66. Member not to be interrupted

No member may interrupt another member whilst speaking, except —

(a) to call attention to a point of order, subject to Rule 92, or a question of privilege; or

(b) at the discretion of the presiding officer, on a point of clarity to request permission to put a question to the member speaking.

67. Precedence of presiding officer

Whenever the presiding officer addresses the House during a debate, any member then speaking or offering to speak must resume his or her seat, and the presiding officer must be heard without interruption.

68. Irrelevance or repetition

The presiding officer may order a member addressing the House to stop speaking if that member, despite warnings from the Chair, persists in irrelevant or repetitive arguments.

69. Grossly disorderly conduct

Members may not engage in grossly disorderly conduct in the House and its forums, including —

(a) deliberately creating serious disorder or disruption;

(b) in any manner whatsoever physically intervening, preventing, obstructing or hindering the removal of a member from the House who has been ordered to leave the House;

(c) repeatedly undermining the authority of the presiding officer or repeatedly refusing to obey rulings of the presiding officer or repeatedly disrespecting and interrupting the presiding officer while the latter is addressing the House;

(d) persisting in making serious allegations against a member without adequate substantiation or following the correct procedure;

(e) using or threatening violence against a member or other person; or

(f) acting in any other way to the serious detriment of the dignity, decorum or orderly procedure of the House.

70. Member ordered to leave Chamber

(1) If the presiding officer is of the opinion that a member is deliberately contravening a provision of these rules, or that a member is disregarding the authority of the Chair, or that a member's conduct is grossly disorderly, he or she may order the member to leave the Chamber immediately for the remainder of the day's sitting.

(2) A member ordered to leave the Chamber must immediately withdraw from the precincts of Parliament.

71. Naming or suspension of member

If a presiding officer is of the opinion that a contravention committed in terms of Rule 70 by a member of the House is of so serious a nature that an order to leave the Chamber for the remainder of the day's sitting is inadequate, the presiding officer may —

(a) if he or she is the Speaker, suspend the member for a period provided for in Rule 74 and order him or her to leave the Chamber immediately; or

(b) if he or she is not the Speaker, name the member and order him or her to leave the Chamber immediately and not participate in any parliamentary activities until the Speaker, after consultation with the presiding officer, has announced what action is to be taken against the member in terms of these rules, including whether such member will be suspended for a period provided for in Rule 74; provided that the Speaker's decision must be announced within two working days after the member has been named.

72. Action against member to be announced in House

The action taken against a member by the Speaker under Rule 71(b) must be announced in the House.

73. Removal of member from Chamber and precincts

(1) If a member refuses to leave the Chamber when ordered to do so by the presiding officer in terms of Rule 70 or 71, the presiding officer must instruct the Serjeant-at-Arms to remove the member from the Chamber and the precincts of Parliament forthwith.

(2) If the Serjeant-at-Arms is unable in person to effect the removal of the member, the presiding officer may call upon the Parliamentary Protection Services to assist in removing the member from the Chamber and the precincts of Parliament.

(3) Unless already suspended in terms of Rule 71, a member who is removed from the Chamber in terms of Subrule (2) is thereby immediately automatically suspended for the period applicable as provided for in Rule 74, and may not enter the Chamber or the precincts for the duration of the suspension.

(4) If a member resists attempts to be removed from the Chamber in terms of Subrule (1) or (2), the Serjeant-at-Arms and the Parliamentary Protection Services may use such force as may be reasonably necessary to overcome any resistance.

(5) No member may, in any manner whatsoever, physically intervene in, prevent, obstruct or hinder the removal of a member from the Chamber in terms of these rules.

(6) Any member or members who contravene Subrule (5) may, on the instruction of the presiding officer, also be removed from the Chamber and the precincts of Parliament forthwith.

(7) If proceedings are suspended for the purposes of removing a member or members, all other members must remain seated or resume their seats, unless otherwise directed by the presiding officer.

(8) When entering the Chamber on the instruction of the relevant presiding officer —

(a) members of the Parliamentary Protection Services may not be armed; and

(b) members of the security services may not be armed, except in extraordinary circumstances in terms of security policy.

(9) Members who have been removed from the Chamber will be escorted off the precincts by Parliamentary Protection Services personnel and will not be allowed to enter the House or precincts of Parliament as the rules prescribe.

(10) If, after having been removed from the Chamber, a member(s) offers resistance to being removed from the precincts, members of the security services may be called upon to assist with such removal.

(11) In the event of violence ensuing in the Chamber as a result of a member(s) resisting removal, the presiding officer may suspend proceedings, and members of the security services may be called upon by the Speaker during such period of suspended proceedings to assist with the removal of members from the Chamber and the precincts of Parliament forthwith in terms of Section 4(1) of the Powers and Privileges Act; provided that the security services may intervene directly anywhere in the precincts and in the Chamber in terms of Section 4(2) of the Act when there is immediate danger to the life or safety of any person or damage to any property.

(12) Whenever a member is physically removed from the Chamber in terms of this rule, the circumstances of such removal must be referred by the Speaker, within 24 hours, for consideration to a subcommittee of the Rules Committee appointed for that purpose.

(13) The House may approve standard operating procedures, recommended by the Rules Committee, for the exercise of this function, in particular in relation to the use of the Parliamentary Protection Services and members of the security services.

(14) For the purposes of this rule, "precincts" excludes the Chamber.

74. Period of suspension

The suspension of a member on the first occasion during a session continues for 5 parliamentary working days, on the second occasion for 10 parliamentary working days, and on any subsequent occasion for 20 parliamentary working days.

75. Expression of regret

(1) A member of the House who has been suspended or named may submit to the Speaker a written expression of regret, and if the Speaker approves such expression of regret, he or she may discharge the suspension or other action taken against the member, or reduce the severity of any such action, and the Speaker must inform the House accordingly.

(2) An expression of regret approved by the Speaker must be recorded in the Minutes of Proceedings.

76. Member to withdraw while his or her conduct is debated

Whenever a charge is made against a member, he or she must, after having been heard from his or her place, withdraw from the Chamber while such charge is being debated.

77. Grave disorder

In the event of grave disorder at a meeting, the presiding officer may adjourn the meeting, or may suspend the proceedings for a period to be stated by him or her.

Part 2: Rules of debate

78. Member to address Chair

(1) Every member desiring to speak must, if possible, stand while addressing the Chair.

(2) At a sitting in the Chamber of the National Assembly a member may —

(a) only speak from the podium during debate and whenever the presiding officer so directs, and at all other times address the Chair from a microphone on the floor of the Chamber; or

(b) deliver his or her address in such other manner as the member is physically able to do and agreed to by the presiding officer.

(3) (a) The Speaker and Deputy Speaker must be referred to as "honourable Speaker", or "honourable Deputy Speaker" or "Mister" or "Madam Speaker" and "Mister" or "Madam Deputy Speaker", as the case may be, and the other presiding officers must be referred to as "honourable Chairperson".

(b) No name to impugn the dignity or undermine the authority or legitimacy of any presiding officer may be used.

79. Recognition of members to speak

(1) Subject to Rule 78, a member may speak only when recognised by the presiding officer during proceedings of the House.

(2) Subject to Subrule (1), a member may draw the attention of the presiding officer to a point of order or a question of privilege at any time.

(3) In a debate the presiding officer must recognise a member in accordance with a list of members who are to speak in the debate and the times allocated for speeches by members of different parties.

80. Control of microphones in Chamber

(1) In the event of a member not showing due respect to the authority of or not obeying an order or ruling or direction of the presiding officer, or acting in a disruptive or grossly disorderly manner in the House, the presiding officer may disable or switch off the microphone being used by such member or order that that be done.

(2) Before proceeding in terms of Subrule (1), the presiding officer must inform the member and the House of the intention to do so.

81. List of speakers and time limits for speeches

(1) Unless otherwise provided in these rules, and subject to Rules 94 and 95, members speak in a debate in accordance with a list of speakers compiled by the Chief Whip in consultation with the whips or party representatives of the other parties represented in the House.

(2) The list of speakers must accommodate all parties represented in the House that wish to participate in the debate.

(3) Members on the list may speak for the time allocated to them on the list, which may not be less than three minutes unless by agreement with the member concerned.

(4) If a list of speakers is incomplete in respect of the identification of members who are to speak in a debate or the time allocated to each, or in the absence of a list of speakers, the Speaker must determine speaking arrangements for the debate in accordance with this rule after consultation with the party whips.

(5) If amendments are proposed to the question before the House at a late stage in a debate, the presiding officer may, at his or her discretion, extend the debate after consultation with the party whips to allow members the opportunity to respond to the amendments.

82. Reference to member in respectful terms

(1) In the House and in mini-plenary sessions members must refer to one another in respectful terms.

(2) Further to Subrule (1), no member may refer to any other member by his or her name only.

(3) No name to impugn the dignity of any member may be used.

83. Member not to read speech

A member must as far as possible refrain from reading his or her speech, but may refresh his or her memory by referring to notes.

84. Unparliamentary or unacceptable language or gestures

No member may use offensive, abusive, insulting, disrespectful, unbecoming or unparliamentary words or language, nor offensive, unbecoming or threatening gestures.

85. Reflections upon members, the President and Ministers or Deputy Ministers who are not members of the Assembly

(1) No member may impute improper motives to any other member, or cast personal reflections upon a member's integrity or dignity, or verbally abuse a member in any other way.

(2) A member who wishes to bring any improper or unethical conduct on the part of another member to the attention of the House, may do so only by way of a separate substantive motion, comprising a clearly formulated and properly substantiated charge that in the opinion of the Speaker prima facie warrants consideration by the House.

(3) Subrules (1) and (2) apply also to reflections upon the President and Ministers and Deputy Ministers who are not members of the House.

86. Reflections upon decisions or statutes

No member may —

(a) for the remainder of the term of the House, reflect upon any decision of the House that directly refers to any specified person, except for the purpose of moving that such decision be amended or rescinded; or

(b) reflect upon any statute of the same session, except for the purpose of moving for its amendment or repeal.

87. Reflections upon the House and its proceedings and decisions

No member may reflect in a disrespectful manner upon the House or its forums and committees or upon their proceedings and decisions.

88. Reflections upon judges and certain other holders of public office

No member may reflect upon the competence or integrity of a judge of a superior court, the holder of a public office in a state institution supporting constitutional democracy referred to in Section 194 of the Constitution, or any other holder of an office (other than a member of the government) whose removal from such office is dependent upon a decision of the House, except upon a separate substantive motion in the House presenting clearly formulated and properly substantiated charges which, if true, would in the opinion of the Speaker prima facie warrant such a decision.

89. Matters sub judice

No member may reflect upon the merits of any matter on which a judicial decision in a court of law is pending.

90. Rule of anticipation

(1) No member may anticipate the discussion of a matter appearing on the Order Paper or agreed upon by the Programme Committee for scheduling.

(2) In determining whether a discussion is out of order on the ground of anticipation, the presiding officer must consider whether it is probable that the matter anticipated will be discussed in the House or at a joint sitting within a reasonable time.

91. Explanations

(1) A member may, with the prior consent of the presiding officer, make an explanation at a time approved by the presiding officer after the conclusion of the debate from which the complaint arises, but only if, during that debate, a material part of the member's speech has been misquoted or misunderstood; provided that —

(a) such explanation must be limited to reading into the record a correction as agreed in principle by the presiding officer, not to exceed three minutes in duration; and

(b) no debate is allowed upon such explanation.

(2) A member may also, with the prior consent of the presiding officer, explain matters of a personal nature, but such matters may not be debated, and the member must confine himself or herself strictly to the vindication of his or her own conduct and may not speak for longer than three minutes.

92. Points of order

(1) A member may raise a point of order at any time during the proceedings of the House, in terms of the procedure prescribed in Rule 66, by stating that he or she is rising on a point of order.

(2) A point of order must be confined only to a matter of parliamentary procedure or practice, or a matter relating to unparliamentary conduct, as defined, and must be raised immediately when the alleged breach of order occurs.

(3) (a) The member raising the point of order must commence by quoting the exact rule or standing order, or at least the principle or subject matter, upon which the point of order is based.

(b) If the member does not do so, the presiding officer may insist on him or her doing so, and if he or she fails or does not adequately do so, the presiding officer may summarily rule that it does not amount to a point of order or that the matter is out of order.

(4) The presiding officer may, at his or her discretion, allow members to address the presiding officer briefly on a point of order that has been raised.

(5) The presiding officer must give a ruling, and may give his or her ruling or decision on the point of order immediately, or defer the decision to the earliest opportunity thereafter by way of a considered ruling.

(6) No point of order may be raised in response to a considered ruling in terms of Subrule (5).

(7) No other member may raise another point of order before the presiding officer has ruled on the first point of order.

(8) No member may raise a point of order again or a similar point of order, if the presiding officer has ruled that it is not a point of order or that the matter is out of order.

(9) Members may not disrupt proceedings by raising points of order that do not comply with this rule.

(10) When a point of order is raised during debate, the member called to order must resume his or her seat, and after the point of order has been stated to the presiding officer by the member raising it, the member raising the point of order must likewise immediately resume his or her seat when he or she has concluded his or her submission or if the presiding officer asks him or her to do so.

(11) The presiding officer's ruling on a point of order is final and binding, and may not be challenged or questioned in the House.

(12) (a) A member who is aggrieved by a presiding officer's ruling on a point of order may subsequently in writing to the Speaker request that the principle or subject matter of the ruling be referred to the Rules Committee.

(b) The Rules Committee may deal with the referral in terms of Paragraph (a) as it deems fit, provided that it must confine itself to the principle underlying, or subject matter of, the ruling concerned, and may not in any manner consider the specific ruling which is final and binding.

93. Acting for absent member

If the member in charge of a motion or an order of the day is absent, another member authorised by the absent member may take charge of the motion or order after having timeously notified the presiding officer, where possible.

94. When reply allowed

The member in charge of a motion or an order of the day, including an executive statement, is allowed to reply.

95. Debate closed

A reply to a debate closes the debate.

CHAPTER 6
DECISION OF QUESTIONS

96. Quorum

In terms of Section 53 of the Constitution, except where the Constitution provides otherwise —

(a) a majority of the members of the National Assembly must be present before a vote may be taken on a Bill or an amendment to a Bill; and

(b) subject to Rule 4, at least one third of the members must be present before a vote may be taken on any other question before the Assembly.

97. Questions to be decided by majority

In terms of Section 53 of the Constitution, except where the Constitution provides otherwise, all questions before the Assembly are decided by a majority of the votes cast.

98. Absence of quorum

(1) If the attention of the presiding officer is called to the absence of the prescribed quorum when a question is put for decision, the presiding officer may suspend the proceedings, postpone the decision of the question or direct that the bells be rung for five minutes, or such longer time as the presiding officer may direct but not exceeding 15 minutes.

(2) If the bells are rung and, after the interval referred to in Subrule (1), there is still no quorum, the presiding officer may suspend the proceedings or postpone the decision of the question.

(3) (a) For the purpose of establishing whether a quorum is present, the presiding officer may, at his or her discretion, utilise the electronic voting system; and

(b) all members present in the Chamber when the electronic voting system is used must record their presence as directed by the presiding officer.

(4) The presiding officer must be counted for the purpose of establishing whether a quorum is present.

99. Decision of question postponed

When the debate on a question has been concluded in the House, the presiding officer may postpone the decision of the question.

100. Decision of postponed questions

Whenever it is expedient to do so, the Speaker may after consultation with the Programme Committee in terms of Rule 208 or, if the Programme Committee is not due to meet in time, after consultation with party whips, determine a day for the decision of postponed questions by the House.

101. Decision of questions requiring special majorities

(1) A question requiring a special majority in terms of the Constitution must be decided by voting, whether or not a division is demanded.

(2) (a) In accordance with Section 53(2)(b) of the Constitution, the presiding officer may cast a deliberative vote when a question must be decided with a supporting vote of at least two thirds of the members of the Assembly.

(b) Whenever a presiding officer casts a deliberative vote, he or she must inform members accordingly.

[See Appendix B for Special Majorities required in terms of the Constitution of the Republic of South Africa, 1996]

102. Casting of votes

Unless the Constitution provides otherwise, voting takes place in accordance with Rules 103 or 104.

103. Electronic voting system

(1) At a sitting of the House held in a Chamber where an electronic voting system is in operation, unless the presiding officer directs otherwise, questions are decided by the utilisation of such system in accordance with a procedure predetermined by the Speaker and directives as announced by the presiding officer.

(2) Members may vote only from the seats allocated to them individually in the Chamber.

(3) Members vote by pressing the "Yes", "No" or "Abstain" button on the electronic consoles at their seats when directed by the presiding officer to cast their votes.

(4) A member who is unable to cast his or her vote, must draw this to the attention of the Chair and may in person or through a whip of his or her party inform the Secretary at the Table of his or her vote.

(5) When all members have cast their votes, the presiding officer must immediately announce the result of the division.

(6) Members' names and votes must be printed in the Minutes of Proceedings.

104. Manual voting procedure

(1) Where no electronic voting system is in operation, a manual voting system may be used in accordance with a procedure predetermined by the Speaker and directives to be announced by the presiding officer.

(2) When members' votes have been counted, the presiding officer must immediately announce the result of the division.

(3) If the manual voting procedure permits, members' names and votes must be printed in the Minutes of Proceedings.

105. Postponed question put without further debate

A question referred to in Rules 99 and 100 must be put without further debate.

106. Question put again

If the presiding officer has put a question and it is not heard or understood, he or she must put it again.

107. Question fully put

(1) No member, except a member who is permitted to make a declaration of vote, may speak to any question after it has been fully put by the presiding officer.

(2) A question is deemed to have been fully put when the voices in favour of and against the question have been given.

108. Declaration of vote

(1) Subject to Subrule (4), the presiding officer may at any time after a question has been fully put, if so requested, permit one member of each political party to declare its vote by stating on behalf of his or her party the reasons why the party is in favour of or against the question; provided that in the case of declarations of vote on a committee report, the relevant Minister be given the opportunity to express the executive's view and for that purpose be allocated the same amount of time as the member of the majority party in terms of Subrule (2).

(2) The time allocated to a member from each party for making a declaration of vote must be determined by the Rules Committee and must take into account the proportional strength of the party in the House.

(3) A member addressing the Chair in terms of Subrule (1) may read out aloud a written formulation of his or her party's viewpoint, and deliver a signed copy thereof at the Table for inclusion in the Minutes of Proceedings.

(4) No declaration of vote is permitted if the question is put for decision immediately after the debate on the question has been concluded.

(5) When the budget votes in the schedule to the main Appropriation Bill are to be decided upon, declarations of vote, if requested, must be limited to a total time for all the budget votes, as well as proportional time per party, as allocated for that purpose by the Programme Committee in accordance with Rule 210.

109. Recording of opposition

(1) Whenever a question is put by the presiding officer, any member may, instead of demanding a division, inform the presiding officer that he or she wishes his or her opposition, or that of the party to which he or she belongs, to be formally recorded in the Minutes of Proceedings.

(2) The presiding officer may order that a division take place in the event of four or more members wishing to record their individual opposition.

110. Demand for division

After a question has been put and the presiding officer has indicated whether in his or her opinion the voices in favour of or against the question are in the majority, any member may demand a division, whereupon, subject to Rule 111, a division must take place without debate.

111. Fewer than four members supporting demand for division

(1) Whenever a division is demanded, the presiding officer must, before ordering the division bells to be rung, satisfy himself or herself that at least four members support the demand for the division.

(2) If fewer than four members rise in support thereof, the presiding officer must immediately declare the decision on the question.

(3) The names of the members who indicated their support for the division in terms of Subrule (2) must be recorded in the Minutes of Proceedings.

112. Division bells rung and doors barred

(1) If the required number of members support the demand for a division, the division bells must be rung and the doors must be barred as soon after the lapse of five minutes as the presiding officer may direct, but if further divisions are required to dispose of the question and such divisions follow immediately upon the first division, the division bells must again be rung and the doors must be barred as soon after the lapse of 15 seconds as the presiding officer may direct.

(2) When the doors have been barred, no member may enter or leave the Chamber until the result of the division has been declared.

113. Procedure after doors barred

When the doors have been barred and all members are seated, the presiding officer must inform members of the question to be decided and announce that a division has been demanded.

114. Member calling for division to vote against question

A member demanding a division may not leave the Chamber until the result of the division has been declared and in the event that he or she did not vote, his or her vote must be recorded as against the question put by the presiding officer.

115. Members present must vote

(1) Every member present in the Chamber when the question is put with the doors barred must vote or record an abstention; provided that in terms of Section 53(2) of the Constitution the presiding officer has no deliberative vote, but —

(a) must cast a deciding vote when there is an equal number of votes on each side of a question; and

(b) may cast a deliberative vote when a question must be decided with a supporting vote of at least two thirds of the members of the Assembly.

(2) In accordance with Section 54 of the Constitution, the provisions of Subrule (1) do not apply to the President of the Republic or to a Minister or Deputy Minister who is not a member of the House.

116. Points of order during division

Subject to all other rules relating to the taking of points of order, while a division is in progress, members may only raise points of order directly related to the procedures during the division.

117. Confusion or error concerning division

(1) If in the opinion of the presiding officer there is confusion or error concerning a division, the presiding officer may direct that another division must take place; provided that if in the opinion of the presiding officer the nature of the confusion or the extent of the error does not affect the result of the division, the presiding officer may direct that the numbers be corrected otherwise.

(2) Party whips may, at the request of any affected members, scrutinise the electronic voting results at the Table and under their signature make limited corrections, provided the corrections so made do not affect the result of the division.

118. Correction of minutes

If any member, in writing to the Speaker within 24 hours after the Minutes of Proceedings have been published, reports that his or her vote has been mistakenly altered, as recorded, or if any other error occurs in the voting results as published in the Minutes of Proceedings, the Speaker may order the Minutes of Proceedings to be corrected.

CHAPTER 7
MOTIONS

Part 1: General

119. Nature of motions

A member may propose a subject for discussion, or a draft resolution for approval as a resolution of the House, with or without debate.

120. Same question rule

(1) No matter may be proposed for discussion in the House which is the same in substance as a matter that has been discussed in it during the same annual session.

(2) (a) No draft resolution may be moved in the House which is the same in substance as a draft resolution which has been approved, with or without amendments, or rejected by it during the same annual session.

(b) The House may amend or rescind such previous resolution.

121. Amendments to draft resolutions generally

(1) Subject to Rule 122, a member may propose an amendment in writing to a draft resolution, provided the amendment does not extend the scope of the draft resolution or is ruled out of order for any other reason by the presiding officer.

(2) When an amendment is moved as provided for in Subrule (1), a signed copy of the proposed amendment must be delivered to the Secretary at the Table without delay.

(3) A proposed amendment to a draft resolution which does not strictly comply with Subrules (1) and (2) and Rule 122 may not be proceeded with in the House.

(4) Proposed amendments to draft resolutions must be put for decision in sequence, with the last amendment being put first and the original motion, with or without amendments, last, unless the presiding officer determines otherwise.

122. Amendments to draft resolutions relating to committee reports

No amendment may be proposed to the content and substance of a committee report tabled for consideration by the House, except in respect of any recommendation made in such report for adoption by the House.

123. Motions without notice

(1) Every motion requires notice, except a draft resolution —

(a) by way of amendment to a draft resolution permitted in terms of these rules;

(b) raising a question of privilege when approved by the Speaker in terms of Rule 31;

(c) for the postponement or discharge of an order of the day, giving precedence to an order of the day scheduled for that day or giving precedence to any other business;

(d) referring a Bill to a committee;

(e) by the Chief Whip, or any other member with the permission of the presiding officer, proposing a decision on a report of a committee immediately after the debate on the report has been concluded;

(f) specially excepted by these rules; or

(g) in regard to which notice is dispensed with by all the members present, subject to Subrule (2).

(2) Motions in respect of which notice is dispensed with in terms of Subrule (1)(g) are accommodated according to the following conditions:

(a) Members of each party are entitled to move motions without notice, minority parties being given an opportunity to participate in a manner consistent with democracy.

(b) The number of motions without notice on any sitting day, the period of time within which such motions must be completed on that day and the sequence of party participation must be determined by the Rules Committee.

(c) Motions without notice must be confined to national issues and must comply with the following criteria as are applicable to all motions requiring a decision of the House: Such a motion —

(i) must be consistent with the Constitution, the law and these rules,

(ii) must deal with only one substantive matter,

(iii) must consist of a clear and succinct proposed resolution,

(iv) may not contain statements, quotations, arguments or other matters not strictly necessary to make the proposed resolution intelligible,

(v) may not be the same in substance as a draft resolution that has been approved or rejected during the same session,

(vi) may not contain unbecoming or offensive expressions,

(vii) may not propose to issue an instruction to the executive,

(viii) must observe the principles of co-operative government in accordance with Chapter 3 of the Constitution, and

(ix) may in any event not take longer than 90 seconds to read out.

(d) Unless the Speaker decides otherwise in a particular case, a member may not be given an opportunity to read out and move a motion without notice in the House unless the following requirements have been met:

(i) The member or the member's party must make the text of the motion available to the Secretary to the National Assembly before 10:00 on the day on which it is to be moved,

(ii) the proposed motion must comply with the criteria specified in Paragraph (c),

(iii) if the proposed motion complies with the specified criteria, the Secretary to the National Assembly must circulate it to all parties by 11:00 on that day, and

(iv) at least five parties including the majority party and the largest minority party have notified the Secretary to the National Assembly at least 30 minutes before the sitting of the House commences that they have no objection to the motion being moved without notice.

(e) If a proposed motion is preceded by another motion of the same substance that has already been approved or rejected on the same day, the proposed motion falls away and may not be read out and moved.

(f) If a member is not given the opportunity to read out and move the motion without notice in terms of Paragraph (d) or, for whatever reason, during the sequence of party participation the member fails to utilise the opportunity to move a motion without notice, the party to which that member belongs forfeits that opportunity.

(g) If a proposed motion without notice as submitted does not

comply with the specified criteria, the member or the member's party must be informed accordingly and the proposed motion without notice may be adjusted and resubmitted as a motion without notice for the next appropriate sitting day or be presented as a notice of motion.

(3) Members may be given an opportunity to move a motion without notice only on a sitting day of the House when motions without notice have been placed on the Order Paper in terms of Rule 44 read with Rule 47.

124. Notices of motion

(1) Members of each party are entitled to give notices of motion when recognised by the presiding officer for that purpose.

(2) The number of notices of motion on any sitting day and the period of time within which such motions must be completed on that day must be determined by the Programme Committee in accordance with Rule 210.

(3) Members must be given an opportunity to give notices of motion only on a sitting day of the House when notices of motion have been placed on the Order Paper in terms of Rule 44 read with Rule 47.

(4) A notice of motion in the form of a draft resolution must —

(a) be submitted in writing;

(b) deal with a subject within the competence of the National Assembly;

(c) be concise;

(d) refer to a single substantive matter; and

(e) comply with any other rules and orders of the House and relevant guidelines approved by the Rules Committee.

(5) A notice of motion in the form of a proposed subject for discussion must comply with the requirements of Subrule (4) and must additionally be limited to clearly identifying the proposed topic.

(6) When giving notice of a motion, a member must —

(a) read it aloud and immediately thereafter deliver at the Table a signed copy of the notice, which may not differ from the notice as read aloud; or

(b) deliver to the Secretary a signed copy of the notice on any parliamentary working day for placing on the Order Paper.

(7) Written notices of motion delivered to the Secretary in terms of Subrule (6)(b) after 12:00 on any parliamentary working day may be placed on the Order Paper only after the expiry of 24 hours, unless in a particular case the Speaker directs otherwise.

125. Acting for absent member

A member may give notice of a motion on behalf of an absent member, provided he or she has been authorised to do so by the absent member.

126. Speaker may disallow notices

The Speaker may disallow notices of motion which contravene the rules and orders of the House or directives and guidelines approved by the Rules Committee.

127. Motions on questions of privilege

An urgent motion directly concerning the privileges of the House must take precedence over other motions and orders of the day.

128. Withdrawal and lapsing of motion

(1) A member who has given notice of a motion may withdraw it at any time before being called upon to move it in the House.

(2) Once moved in the House, a motion may only be withdrawn with the unanimous concurrence of all the members present.

(3) A notice of motion on the Order Paper lapses —

(a) after a period as determined by the Rules Committee from time to time; or

(b) at the end of the day as specified in Rule 351.

Part 2: Motions of no confidence in terms of Section 102 of Constitution

129. Motions of no confidence in terms of Section 102 of Constitution

(1) A member may propose that a motion of no confidence in the Cabinet or the President in terms of Section 102 of the Constitution be placed on the Order Paper.

(2) The Speaker must accord such motion of no confidence due priority and before scheduling it must consult with the Leader of Government Business and the Chief Whip.

(3) The motion must comply, to the satisfaction of the Speaker, with the prescripts of any relevant law or any relevant rules and orders of the House and directives and guidelines approved by the Rules Committee, before being placed on the Order Paper, and must include the grounds on which the proposed vote of no confidence is based.

(4) The Speaker may request an amendment of, or in any other manner deal, with a notice of a motion of no confidence which contravenes the law, rules and orders of the House or directives and guidelines approved by the Rules Committee.

(5) After proper consultation and once the Speaker is satisfied that the motion of no confidence complies with the aforementioned prescribed law, rules and orders of the House and directives or guidelines of the Rules Committee, the Speaker must ensure that the motion of no confidence is scheduled, debated and voted on within a reasonable period of time given the programme of the Assembly.

(6) The debate on a motion of no confidence may not exceed the time allocated for it by the Speaker, after aforesaid consultation process.

(7) If a motion of no confidence cannot reasonably be scheduled by the last sitting day of an annual session, it must be scheduled for consideration as soon as possible in the next annual session.

(8) Rules 120, 123 and 127 do not apply to motions of no confidence in terms of this rule.

CHAPTER 8

DISCUSSION OF URGENT MATTERS OF NATIONAL PUBLIC IMPORTANCE

130. Urgent matter of national public importance

(1) A private member may request the Speaker in writing to schedule without delay an urgent matter of national public importance for discussion by the House.

(2) In submitting the request, the member must motivate why the matter is of so urgent a nature that it should be dealt with in terms of this rule.

(3) In granting such a request, depending on the urgency of the matter, the Speaker may at his or her discretion —

(a) if, on a sitting day, the request is received at least by midday, schedule the discussion for the same day;

(b) if the House is not programmed to meet at an early date that will accommodate the urgency of the matter, convene a special sitting of the House for the discussion; or

(c) schedule the matter for discussion at the earliest opportunity.

(4) If the Speaker grants the request, he or she must without delay inform the House, the Leader of Government Business and the responsible Minister of the date and time set for the discussion.

(5) Such a discussion may not exceed the time allocated for it by the Speaker, after consultation with the Leader of Government Business and the Chief Whip.

(6) In the absence of the responsible Minister, any other member of the executive may respond to the discussion on that Minister's behalf; provided that, at the Speaker's discretion, the discussion may proceed

even if no member of the executive is available to respond.

(7) There may only be one discussion in terms of this rule on a sitting day, and if the Speaker receives more than one request, he or she must decide which matter is more urgent or important.

(8) In exercising his or her discretion, the Speaker must apply the following criteria:

(a) Matters already discussed by the House during the same annual session may not be discussed under this rule;

(b) the matter must be raised at the earliest opportunity;

(c) the matter must be —

(i) of so serious a nature that it requires urgent attention, or

(ii) of sufficient immediate public importance to warrant it taking precedence over other programmed business;

(d) the request must deal with a matter of national importance for which the government can be held responsible, or that falls within the scope of ministerial action;

(e) the subject must relate to a specific matter of recent occurrence, and not to a general state of affairs or to a matter of policy;

(f) the matter must be defined and specific;

(g) the request must deal with only one substantive matter;

(h) the request will not be granted if the matter can be considered by some other means in the near future; and

(i) the sub judice rule (Rule 89) applies to such a discussion.

131. Withdrawal of scheduled discussion on matter of urgent public importance

The member who requested the discussion may request the Speaker to withdraw the scheduled discussion, provided that sufficient notice of such withdrawal is given.

CHAPTER 9

MEMBERS' STATEMENTS AND EXECUTIVE STATEMENTS

132. Statements by members

(1) A member, other than the Deputy President, a Minister or a Deputy Minister, may be recognised by the presiding officer to make a statement on any matter for not more than one and a half minutes.

(2) Members of each party are entitled to make a number of statements, minority parties being given an opportunity to participate in a manner consistent with democracy.

(3) If a member, for whatever reason, during the sequence of proceedings, fails to utilise the opportunity to make a statement, the party to which that member belongs forfeits that opportunity.

(4) The number of members' statements on any sitting day, the period of time within which such statements must be completed on that day and the sequence of party participation must be determined by the Rules Committee.

(5) At the conclusion of statements by members, a Minister or Deputy Minister present may be given an opportunity to respond, for not more than two minutes, to any statement.

(6) The number of permissible ministerial responses to members' statements must be determined by the Rules Committee.

(7) Statements are only taken on any sitting day when placed on the Order Paper in terms of Rule 44 read with Rule 47.

(8) The rules of debate apply to members' statements and ministerial responses.

133. Executive statements

(1) A Cabinet member may request the Speaker for an opportunity for that Cabinet member or the relevant Deputy Minister on behalf of that Cabinet member to make a factual or policy statement relating to government policy, any executive action or other similar matter of which the House should be informed.

(2) The time allotted to a Cabinet member making an executive statement in terms of Subrule (1), including any reply to party responses in terms of Subrule (7), may not exceed 20 minutes, except with the consent of the House.

(3) Whenever reasonably possible, a copy of an executive statement must be delivered to the leader of each party, or that leader's representative, at or before the time the statement is made in the House.

(4) After any executive statement has been made, the Cabinet member concerned may table relevant supporting papers.

(5) Following any executive statement, a member or members of each of the parties represented in the House may comment on the executive statement, the time allocated to each party for that purpose and the sequence for party comments to be determined by the Rules Committee.

(6) Party responses as envisaged in Subrule (5) may be postponed by agreement between the majority of parties represented in the House or by motion without notice in the House to a later date as determined by the Programme Committee in accordance with Rule 210.

(7) At the conclusion of party responses, the responsible Cabinet member or Deputy Minister must, subject to Subrule (2), be given an opportunity to reply.

CHAPTER 10
QUESTIONS

Part 1: General

134. Notice and placing of questions

(1) Except as otherwise provided in these rules or with the prior consent of the Speaker —

(a) notice must be given of each question by placing it on the Question Paper; and

(b) no question for oral reply may be asked on the day on which notice thereof is given.

(2) (a) A member may give notice of a question on any working day in accordance with these rules.

(b) A member who wants to give notice of a question must deliver to the Speaker, for placement on the Question Paper —

(i) a signed copy of the notice, or

(ii) an electronic copy of the notice, which must be accompanied by the member's electronic signature or originate from the member's email address, indicating the day on which the question will be put.

(c) A whip or representative of the member's party designated by the party may submit a notice in terms of Subrule (2)(a) on behalf of the member.

(3) Questions delivered to the Speaker before 12:00 on any working day in terms of Subrule (2) may appear on the Question Paper only after the expiry of 24 hours.

(4) Subject to these rules and any guidelines that may be approved by the Rules Committee, and in particular Rules 137(7) and 140, questions must be placed on the Question Paper in the order in which they are received.

(5) (a) No question may be addressed to any person other than a member of the Cabinet; and

(b) questions must relate to matters for which Cabinet members are officially responsible.

(6) If a notice of a question is not consistent with these rules or any guidelines that may be approved by the Rules Committee, the Speaker may either amend the question or return it to the member who submitted it.

135. Lapsing of questions

All questions on the Question Paper on the last sitting day of an annual session lapse 20 working days after the last sitting day.

136. Monitoring replies to questions

(1) The Speaker must in consultation with the Rules Committee establish a system to monitor and report regularly to the House on questions that have been endorsed as unanswered on the Question Paper in terms of Rules 143(2), 144(5) and 146(3).

(2) The Leader of Government Business must be informed of any steps taken in respect of any member of the executive in giving effect to the monitoring of replies and the application of Rules 143 to 146.

Part 2: Questions for oral reply

137. Form and arrangement of questions

(1) A member who wants an oral reply to a question must write the words "for oral reply" on the copy of the notice of the question delivered to the Speaker in terms of Rule 134(2).

(2) A question for oral reply must be concise and may not contain more than two subdivisions.

(3) If the Speaker is of the opinion that a question comprises matters of a substantively statistical nature, the Speaker may direct that the question be placed on the Question Paper for written reply.

(4) Questions for oral reply are limited to two questions per member per question day.

(5) (a) The restrictions imposed by Subrule (4) and by Rules 138(7), 139(3) and 140(3) do not apply to questions —

(i) approved as urgent questions in terms of Rule 141,

(ii) standing over in terms of Rule 144(1) or (3), or

(iii) transferred from written to oral reply in terms of Rule 146.

(b) If a question referred to in Paragraphs (a)(i) to (iii) is included on a Question Paper for a particular day, an additional 30 minutes must be added to the question time for that day.

(6) A question that is submitted for oral reply must be placed on the Question Paper for reply at least six working days prior to the question day on which it is to be replied to.

(7) An authorised representative of a party may before 12:00 on the day after questions for a particular question day appear on the Question Paper for the first time, notify the Speaker in writing of the order in which questions put by members of that party are to be placed on the Question Paper.

(8) Questions that cannot be placed on the Question Paper for oral reply because of quotas must be placed as questions for written reply.

(9) The sequence of questions on the Question Paper rotates without interruption for the duration of an annual session according to the order in which members of the respective parties may put questions, such order being determined by the Rules Committee from time to time.

(10) (a) If the member in whose name a question appears on the Question Paper is absent on the day when the question is to be replied to, another member authorised by the absent member may take charge of the question after having timeously notified the presiding officer, where possible.

(b) If another member has not been authorised to take charge of a question as contemplated in Paragraph (a), the relevant member of the executive must still reply to the question after which, notwithstanding Rule 142(5), the presiding officer permits four supplementary questions, each of one minute's duration.

138. Questions to Ministers

(1) Questions for oral reply by Ministers must be dealt with in accordance with a clustered system of government portfolios, as determined by the Rules Committee from time to time and published in the ATC.

(2) The clusters rotate on a weekly basis, so that, subject to Subrules (5) and (6), questions relating to each cluster are answered in succession in accordance with the agreed system.

(3) A Minister may authorise his or her Deputy Minister to reply to a question directed at that Minister, provided the Deputy Minister is able also to respond competently to any permissible supplementary questions that may be asked.

(4) If a Minister and his or her Deputy Minister are absent on a day when questions relating to the relevant Ministry are to be answered, the Minister may authorise another Cabinet member to reply to a question directed at that Minister, provided the Cabinet member so authorised is able also to respond competently to any permissible supplementary questions that may be asked.

(5) If a Minister is absent on a day when a question relating to the relevant cluster is called and the question is not answered by the Deputy Minister concerned or another Cabinet member in accordance with Subrules (3) and (4), the Speaker may, if requested to do so by the member in whose name the question to that Minister stands, and after consultation with the Leader of Government Business, direct that —

(a) such question to that Minister be placed on the Question Paper for the first question session for Ministers following that day; and

(b) an additional 30 minutes be added to the question time for that session.

(6) Questions to Ministers must not be scheduled for a day on which the President is scheduled to answer questions in the Assembly.

(7) The number of questions to a Minister is limited to 10 questions per question day in respect of any one department of state.

(8) Where the order in which questions are put to Ministers according to Rule 137(9) is interrupted at the end of a question session, the next question session to Ministers starts from the point where the order was so interrupted.

139. Questions to Deputy President

(1) Questions to the Deputy President must be scheduled by the Programme Committee in accordance with Rule 210 for a question day once per month during session time in accordance with the annual programme of the Assembly, outside of the question time for Ministers; provided that —

(a) questions to the Deputy President may not be scheduled for any week in which questions to the President are scheduled; and

(b) the Programme Committee must further determine which months qualify as months during session time within the annual programme for purposes of this rule.

(2) Questions to the Deputy President must be limited to matters of national and international importance, as assigned to him or her by the President.

(3) The number of questions to the Deputy President is limited to six questions per question day.

(4) The total time allowed for replies to questions and associated supplementary questions under this rule is limited to a maximum of three hours.

(5) Where the order in which questions are put to the Deputy President according to Rule 137(9) is interrupted at the end of a question session to the Deputy President, the next question session to the Deputy President starts from the point where the order was so interrupted.

(6) Questions to the Deputy President must be submitted to the Speaker at least 16 calendar days before the question day on which they are to be answered, for the Speaker's approval as complying with these rules and the guidelines determined by the Rules Committee.

140. Questions to President

(1) Questions to the President must be —

(a) scheduled in accordance with Rule 210 for a question day at least once per quarter during session time within the annual programme; and

(b) limited to matters of national and international importance.

(2) Questions to the President must be submitted to the Speaker at least 16 calendar days before the question day on which they are to be answered, for the Speaker's approval as complying with these rules and the guidelines determined by the Rules Committee.

(3) The number of questions to the President is limited to six questions per question day.

(4) The total time allowed for replies to questions and associated supplementary questions under this rule is limited to a maximum of three hours.

(5) Where the party sequence in which questions are put to the President according to Rule 137(9) is interrupted at the end of a question session, the next question session to the President starts from the point where the sequence was so interrupted.

141. Urgent questions

(1) A member may request the Speaker in writing to allow an urgent question for oral reply to be put to —

(a) the relevant Minister at the next question session for Ministers in the House, regardless of whether that Minister falls within the ministerial cluster for that day; or

(b) the President or the Deputy President on the next applicable question day.

(2) A member who wants to put an urgent question in terms of Subrule (1) must deliver a signed copy of the question to the Speaker before 12:00 on the day preceding the question day on which the question is to be answered, clearly indicating that it is an urgent question.

(3) In submitting the request, the member must motivate why the question is so urgent that it must be dealt with in terms of this rule.

(4) The Speaker must consult the Leader of Government Business before approving an urgent question.

(5) An approved urgent question takes precedence over all other questions on the relevant question day.

142. Times allotted and time limits

(1) Questions for oral reply have precedence on Wednesdays, unless the Programme Committee determines otherwise in accordance with Rule 210.

(2) The time allotted for questions is three hours.

(3) The reply to a question is limited to four minutes, but if the presiding officer is of the opinion that the matter is of sufficient importance, an additional two minutes may be allowed.

(4) In respect of each question, four supplementary questions may be asked, the member in whose name a question stands or who takes charge of a question in terms of Rule 137(10) being given the first opportunity to ask a supplementary question.

(5) A member who asks a supplementary question may make a statement or express an opinion, but the time allowed for the first supplementary question is limited to two minutes and for subsequent supplementary questions one minute.

(6) A supplementary question must arise directly from the original question and the reply given thereto and may not constitute a new question.

(7) A supplementary question may not consist of more than one question.

(8) The reply to a supplementary question is limited to two minutes.

(9) The provisions of Subrules (1), (2), (3) and (8) do not apply to questions to the Deputy President and the President.

143. Unanswered questions for oral reply

(1) Replies to questions for oral reply which have not been reached at the end of the time allotted on a question day must be submitted in writing to the Speaker on the same day for appropriate distribution and inclusion in the Official Report of the Debates of the Assembly.

(2) If a reply to such a question is not received by the Speaker on the question day concerned, the question must be regarded as unanswered and the question must be endorsed on the Question Paper to that effect.

144. Questions for oral reply standing over

(1) A question for oral reply must stand over if the Minister to whom it is addressed —

(a) so requests, either in the Assembly when the question is called for reply, or by notice in writing to the Speaker before the start of question time on the day for which it is on the Question Paper; or

(b) is not present in the Assembly when the question is called for reply and the question is not replied to by the relevant Deputy Minister or another Cabinet member on his or her behalf in terms of Rule 138(3).

(2) Subject to a direction by the Speaker under Rule 138(5), a question that stands over in terms of Subrule (1) must be —

(a) placed on the Question Paper for reply on the next question day on which the relevant Minister is scheduled to reply to questions; and

(b) published at the end of the Question Paper, but may be prioritised in terms of Rule 137(7); provided that if more than one question is to be so published, the questions must be published in the order in which they previously appeared.

(3) A question for oral reply may not stand over more than once and is regarded as unanswered, unless the relevant Minister offers a valid reason —

(a) in the Assembly for requesting that it stand over again, when the question is called for reply; or

(b) in writing to the Speaker for being absent from the House on the question day for which it has been set down in terms of Subrule (2);

or the Speaker determines otherwise.

(4) If a question stands over again in terms of Subrule (3), the member in whose name the question stands may again request the Speaker that the question be placed on the Question Paper for the first question session for Ministers following that day in terms of Rule 138(5).

(5) If a question standing over is not answered, either orally or in terms of Rule 143(1), the Question Paper must be endorsed to the effect that the question has not been replied to.

Part 3: Questions for written reply

145. Form and placing of questions

(1) A question for written reply may be placed on the Question Paper for any working day.

(2) A question for written reply may not contain more than 10 subdivisions.

(3) Questions for written reply are limited to three questions per member per week.

(4) The restriction imposed by Subrule (3) does not apply to questions referred to in Rule 137(8).

(5) (a) A question for written reply must be replied to within 10 working days, provided that the responsible Minister may in writing request the Speaker for an extension not exceeding a further 10 working days on good cause shown.

(b) If the Speaker approves a request for an extension in terms of Paragraph (a), the member in whose name the question stands must be informed accordingly and the extension must be recorded on the Question Paper.

146. Written reply not given

(1) If the responsible Cabinet member has not replied in writing to a question within 10 working days of the day for which the question was set down for written reply or within the period of an extension approved by the Speaker in terms of Rule 145(5), and the member in whose name the question stands, or who takes charge of a question in terms of Rule 137(10), so requests, the Speaker must place the question on the Question Paper for oral reply.

(2) If a reply to a question placed on the Question Paper for oral reply in terms of Subrule (1) is submitted in writing to the Speaker not later than 12:00 on the question day on which it is to be replied to, the question must not be called in the House.

(3) If a written reply has not been received within 10 working days or within the period of an extension approved by the Speaker in terms of Rule 145(5), subject to Subrule (1) the Question Paper must be endorsed to the effect that the question has not been replied to, and the Speaker must inform the Leader of Government Business accordingly.

CHAPTER 11
MESSAGES

147. Messages from Council

A message received from the Council must be recorded in the ATC, or be made known in such other manner as the Speaker may determine.

148. Messages to President of the Republic

A message from the House to the President of the Republic must be signed and communicated by the Speaker.

149. Messages from President of the Republic

(1) All communications from the President of the Republic to the House must, if he or she does not attend a sitting of the House or a joint sitting, be by message.

(2) The message must be presented to the House by the presiding officer, may in the discretion of the presiding officer be read out by him or her, and must be printed in the ATC, or in the Minutes of Proceedings if the message is read out in the House.

(3) The consideration of the message may be placed on the Order Paper, or the presiding officer may interrupt business at the request of the Leader of Government Business in order that precedence may be given to the consideration of the message; provided that a message whereby the President of the Republic calls a sitting of Parliament in terms of Section 42(5) of the Constitution may not be considered.

CHAPTER 12
COMMITTEE SYSTEM

Part 1: Introduction

150. List of committees

(1) The Assembly has the following committees —

(a) as established by these rules:

(i) the Rules Committee established by Rule 190;

(ii) the Programme Committee established by Rule 205;

(iii) the Disciplinary Committee established by Rule 216;

(iv) the Forum of Committee Chairpersons established by Rule 221;

(v) the portfolio committees that must be established in terms of Rule 225;

(vi) the Standing Committee on Public Accounts established by Rule 243;

(vii) ad hoc committees that may be established in terms of Rule 253; and

(viii) the Chief Whips' Forum established by Rule 256; and

(b) as established by these rules in terms of legislation:

(i) the Powers and Privileges Committee established by Rule 211;

(ii) the Standing Committee on Finance established by Rule 230;

(iii) the Standing Committee on Appropriations established by Rule 236; and

(iv) the Standing Committee on the Auditor-General established by Rule 249.

(2) Other committees may be established but only by resolution of the Assembly.

(3) If a proposal to establish a committee is contained in draft legislation before a portfolio committee, that committee must first refer the proposal to the Rules Committee for a report and recommendation before that committee considers the proposal.

(4) The Assembly participates in joint committees and other joint structures in accordance with the Joint Rules.

151. Subcommittees

(1) A committee —

(a) has such subcommittees as are established by these rules; and

(b) may appoint a subcommittee only when —

(i) there is provision for such appointment in these rules, or

(ii) authorised by resolution of the Assembly.

(2) Subrule (1) does not prevent a committee from assigning a task to one or more of its members for a purely internal or administrative purpose.

(3) If a proposal to establish a subcommittee is contained in draft legislation before a portfolio committee, that committee must first refer the proposal to the Rules Committee for a report and recommendation before that committee considers the proposal.

152. Application of rules to committees and subcommittees established in terms of legislation

These rules also apply to a committee or subcommittee established in terms of legislation, and in such application the committee or subcommittee must be regarded as having been established in terms of these rules.

Part 2: Rules applicable to committees generally

153. Application of this part

The provisions of this part apply to all committees established by or in terms of these rules except in so far as any of these provisions is inconsistent with —

(a) another provision of these rules applicable in a specific case; or

(b) a resolution of the Assembly.

154. Composition

(1) Parties are entitled to be represented in committees in substantially the same proportion as the proportion in which they are represented in the Assembly, except where —

(a) these rules prescribe the composition of the committee; or

(b) the number of members in the committee does not allow for all parties to be represented.

(2) Subject to these rules, the Joint Rules and decisions of the Rules Committee, and where practicably possible, each party is entitled to at least one representative in a committee.

155. Appointment procedures

(1) Unless these rules provide otherwise, the parties appoint the members of a committee and advise the Speaker accordingly.

(2) Parties must appoint their members within five working days after the establishment of a committee by the House.

(3) The names of the members appointed, and alternates appointed in terms of Rule 156, must be published in the ATC without delay.

156. Alternates

(1) Alternates may be appointed for one or more specific members of a committee.

(2) An alternate acts as a member when the member for which the alternate was appointed —

(a) is absent; or

(b) has vacated office, until the vacancy is filled.

157. Term of office

(1) Subject to Section 49(4) of the Constitution, members of a committee and alternates for members are appointed until the Assembly's term expires or the Assembly is dissolved, whichever occurs first.

(2) A member of a committee ceases to be a member and an alternate for a member ceases to be an alternate if a whip of the party to which that member or alternate belongs, or a designated representative of that party, gives notice to the Speaker, in writing, that the member or alternate is to be replaced or withdrawn.

158. Chairpersons

(1) A committee must elect one of its members as the chairperson of the committee.

(2) The chairperson of a committee, subject to other provisions of these rules and directions of the committee —

(a) presides at meetings of the committee;

(b) may act in any matter on behalf of and in the best interest of the committee when it is not practical to arrange a meeting of the committee to discuss that matter, if that matter concerns —

(i) a request by a person to give evidence or make oral representations to the committee,

(ii) any other request to the committee, and

(iii) the initiation of any steps or decisions necessary for the committee to perform its functions or exercise its powers;

(c) performs the functions, tasks and duties and exercises the powers that the committee, resolutions of the Assembly and legislation may assign to the chairperson; and

(d) in the event of an equality of votes on any question before the committee, must exercise a casting vote in addition to the chairperson's vote as a member.

(3) The chairperson must report to the committee on any steps taken in terms of Subrule (2)(b).

159. Acting chairpersons

(1) If the chairperson of a committee is absent or unable to perform the functions of chairperson, the committee must elect another of its members as acting chairperson.

(2) An acting chairperson performs the functions and may exercise the powers of the chairperson.

160. First meetings

(1) The Secretary must call a meeting of a committee within five working days after the names of the members of the committee have been announced.

(2) If a party or parties have not appointed their members in time, as provided for in Rule 155(2), the Secretary must call a meeting of the committee within five working days after a sufficient number of members have been appointed to form a quorum in terms of Rule 162(2).

(3) If the Assembly is in recess, the Secretary must notify the members of the committee, the Chief Whip and the most senior whip of each of the other parties of the time and place of the meeting at least 14 days before the meeting.

161. Meetings

(1) Committees meet whenever necessary and as determined in accordance with these rules and the decisions, directives and guidelines of the Programme Committee in accordance with Rule 210.

(2) A meeting of a committee may be called in terms of Subrule (1) —

(a) by the chairperson of the committee; or

(b) by resolution of the Assembly.

(3) If at least one third of the members of a committee, in writing, request the chairperson of the committee to call a meeting of the committee, the chairperson must call the meeting within a reasonable time.

162. Quorum requirements

(1) A committee at all times requires at least one third of its members to be present for it to conduct any business.

(2) A majority of the members of a committee must be present for it to decide any question.

(3) When a committee has to decide a question and a quorum in terms of Subrule (2) is not present, the chairperson may either suspend business until a quorum is present, or adjourn the meeting.

163. Co-option when members and alternates not available

If a member of a committee and that member's alternate are both absent from a meeting of the committee, the chairperson may co-opt any other Assembly member from the same party to act as a member of the committee until that committee member or the alternate member is no longer absent.

164. Interruption, suspension or adjournment

The chairperson of a committee —

(a) may interrupt or suspend the proceedings or adjourn the meeting; and

(b) may change the date for the resumption of business, provided reasonable notice is given.

165. Information reflecting upon integrity of members

If any information reflecting upon the integrity of an Assembly member comes before a committee, the committee may not proceed upon that information, but must report it to the Speaker without delay.

166. Reporting

(1) A committee must report to the Assembly on a matter referred to the committee —

(a) when the Assembly is to decide the matter in terms of these rules, the Joint Rules, a resolution of the Assembly or legislation;

(b) if the committee has taken a decision on the matter, whether or not the Assembly is to decide the matter as contemplated in Paragraph (a); or

(c) if the committee is unable to decide a matter referred to it for report.

(2) A committee must report to the Assembly on —

(a) all other decisions taken by it, except those decisions concerning its internal business; and

(b) its activities at least once per year.

(3) A report of a committee —

(a) must be formally adopted by the committee;

(b) must be submitted to the Assembly by the chairperson or another member of the committee designated by the committee; and

(c) may request that the chairperson or another member of the committee designated by the committee introduces or explains the report in the Assembly.

(4) (a) A committee may not submit a minority report.

(b) If a report is not a unanimous report, it must —

(i) specify in which respects there was not consensus, and

(ii) in addition to the views representative of the majority in the committee, express any views of a minority in the committee.

(5) If a committee reports on a matter other than a matter mentioned in Subrule (1)(a) and is of the view that its report, or a specific matter mentioned in the report, should be considered by the Assembly, it may make a request to that effect in the report.

167. General powers

For the purposes of performing its functions a committee may, subject to the Constitution, legislation, the other provisions of these rules and resolutions of the Assembly —

(a) summon any person to appear before it to give evidence on oath or affirmation, or to produce documents;

(b) receive petitions, representations or submissions from interested persons or institutions;

(c) permit oral evidence on petitions, representations, submissions and any other matter before the committee;

(d) conduct public hearings;

(e) consult any Assembly or Council committee or subcommittee, or any joint committee or subcommittee;

(f) determine its own working arrangements;

(g) meet at a venue determined by it, which may be a venue beyond the seat of Parliament;

(h) meet on any day and at any time, including —

(i) on a day which is not a working day,

(ii) on a day on which the Assembly is not sitting,

(iii) at a time when the Assembly is sitting, or

(iv) during a recess; and

(i) exercise any other powers assigned to it by the Constitution, legislation, the other provisions of these rules or resolutions of the Assembly.

168. Privilege of witnesses

Prior to a witness giving evidence before a House or committee, the chairperson must in accordance with Section 16 of the Powers and Privileges Act inform the witness as follows:

> *"Please be informed that by law you are required to answer fully and satisfactorily all the questions lawfully put to you, or to produce any document that you are required to produce, in connection with the subject matter of the enquiry, notwithstanding the fact that the answer or the document could incriminate you or expose you to criminal or civil proceedings, or damages. You are, however, protected in that evidence given under oath or affirmation before a House or committee may not be used against you in any court or place outside Parliament, except in criminal proceedings concerning a charge of perjury or a charge relating to the evidence or documents required in these proceedings."*

169. Conferring powers of committees

(1) A committee may confer with any other committee of the Assembly.

(2) Committees must confer —

(a) if the Assembly instructs them to confer; or

(b) during a recess, if the Speaker, with the concurrence of the Chief Whip, instructs them to confer.

(3) When committees meet to confer, the chairpersons of the respective committees co-chair the meeting.

(4) Committees conferring in terms of Subrule (1) may report jointly, subject to the provisions of Rule 228(2).

(5) If a committee is unable to meet to confer with another committee within reasonable time frames, the committee may invite the other committee to convey its views in writing.

170. Public involvement

Committees must ensure public involvement in accordance with the provisions of the Constitution and these rules.

Part 3: Rules applicable to subcommittees generally

171. Application of this part

The provisions of this part apply to all subcommittees established by or in terms of these rules except in so far as any of these provisions is inconsistent with —

(a) another provision of these rules applicable in a specific case; or

(b) a resolution of the Assembly.

172. General rules

(1) A subcommittee established by or in terms of these rules —

(a) is accountable to its parent committee;

(b) must carry out its task and responsibilities within a policy framework determined by its parent committee and in accordance with these rules and any directives, guidelines or regulations issued by the parent committee;

(c) may consult any Assembly or Council committee or subcommittee, or any joint committee or subcommittee;

(d) may determine its own working arrangements, subject to these rules, any directives of the parent committee or resolutions of the Assembly;

(e) may only make recommendations to its parent committee; and

(f) must report to its parent committee regularly or when requested by the parent committee.

(2) The parent committee of a subcommittee —

(a) must appoint the members of the subcommittee from among its members;

(b) may, if appropriate, determine a period within which the subcommittee must complete its task;

(c) must determine the extent, nature and form of the subcommittee's reports to the committee, and time limits for the submission of a report;

(d) may delegate any of its powers to the subcommittee necessary for the subcommittee to perform its task; and

(e) may instruct the subcommittee to perform any of its functions.

173. Alternates

(1) A parent committee may appoint alternates from among its members for one or more specific members of a subcommittee.

(2) An alternate acts as a member when the member for which the alternate was appointed —

(a) is absent; or

(b) has vacated office, until the vacancy is filled.

174. Term of office

(1) Subject to Section 49(4) of the Constitution, the members of a subcommittee established by a provision of these rules and any alternates for those members are appointed until the Assembly's term expires or the Assembly is dissolved, whichever occurs first.

(2) A subcommittee established by a committee in terms of a provision of these rules ceases to exist —

(a) when it has completed the task for which it was established; or

(b) if it is dissolved earlier by the parent committee.

(3) (a) A member of a subcommittee ceases to be a member and an alternate for a member ceases to be an alternate if a whip of the party to which that member or alternate belongs gives notice to the Speaker, in writing, that the member or alternate is to be replaced or withdrawn.

(b) The written notice to the Speaker in terms of Subrule (3)(a) must be copied to the parent committee.

175. Chairpersons

(1) The parent committee of a subcommittee must designate a member of the subcommittee as the chairperson of the subcommittee.

(2) The chairperson of a subcommittee, subject to the other provisions of these rules and the directions of the parent committee —

(a) presides at meetings of the subcommittee;

(b) may act in any matter on behalf of and in the best interest of the subcommittee when it is not practical to arrange a meeting of the subcommittee to discuss that matter, if that matter concerns —

(i) a request by a person to give evidence or make oral representations to the subcommittee,

(ii) any other request to the subcommittee, and

(iii) the initiation of any steps or decisions necessary for the subcommittee to perform its functions or exercise its powers; and

(c) performs the functions, tasks and duties and exercises the powers that the parent committee, resolutions of the Assembly and legislation may assign to the chairperson.

(3) The chairperson must report to the subcommittee on any steps taken in terms of Subrule (2)(b).

176. Acting chairpersons

(1) If the chairperson of a subcommittee is absent or unable to perform the functions of chairperson, the subcommittee must elect another of its members as acting chairperson.

(2) An acting chairperson performs the functions and exercises the powers of the chairperson.

177. Meetings

(1) Subcommittees meet whenever necessary and as determined in accordance with these rules and the decisions, directives and guidelines of the Programme Committee in accordance with Rule 210.

(2) A meeting of a subcommittee may be called in terms of Subrule (1) by —

(a) the chairperson of the subcommittee;

(b) the parent committee; or

(c) the chairperson of the parent committee.

178. Matters relating to quorum

A subcommittee may proceed with business irrespective of the number of members present.

179. Decisions

(1) A question before a subcommittee is decided by consensus.

(2) If consensus cannot be reached, all views in the subcommittee on the question must be reported to the parent committee.

180. General powers

A subcommittee has the powers listed in Rule 167 only when assigned to it in terms of these rules or by a resolution of the Assembly.

Part 4: Rules applicable to both committees and subcommittees generally

181. Application of this part

The provisions of this part apply to all committees and subcommittees established by or in terms of these rules except in so far as any of these provisions is inconsistent with —

(a) another provision of these rules applicable in a specific case; or

(b) a resolution of the Assembly.

182. Conduct of members

Members must at all times conduct themselves in a manner befitting the dignity and decorum of a forum of the Assembly.

183. Persons appearing before committees

Any person, including counsel and attorneys, appearing before a committee or subcommittee must observe the directions and conform to the procedures determined by the chairperson of the committee or subcommittee.

184. Admission of public

(1) Meetings of committees and subcommittees are open to the public, including the media, and the chairperson of the committee or subcommittee may not exclude the public, including the media, from the meeting, except when —

(a) legislation, these rules or resolutions of the Assembly provide for the committee or subcommittee to meet in closed session; or

(b) the committee or subcommittee is considering a matter which is —

(i) of a private nature that is prejudicial to a particular person,

(ii) protected under parliamentary privilege, or for any other reason privileged in terms of the law, or

(iii) confidential in terms of legislation,

the nature of which is such that its confidential treatment is reasonable and justifiable in an open and democratic society.

(2) A decision in terms of Subrule (1) to exclude the public must be taken, after due consideration, by the committee or subcommittee concerned, provided that the chairperson of the committee or subcommittee may at any time —

(a) before the start of the meeting rule that the meeting must take place in closed session, but the committee or subcommittee may at any time after the start of the meeting open the meeting; or

(b) close the meeting for a decision by the committee or subcommittee whether the matter should be considered in closed session.

(3) The Speaker must —

(a) set aside places for the public in the committee rooms; and

(b) determine the entrances and routes through which the public can obtain access to these places.

(4) The Speaker may take reasonable measures —

(a) to regulate public access, including access of the media, to the committees and subcommittees;

(b) to prevent and control misconduct of the public in committee rooms; and

(c) to provide for the searching of any person, including that person's vehicle or other property in that person's possession, and, where appropriate, the refusal of entry to, or the removal of, any person.

185. Presence of other Assembly members

(1) A member of the Assembly who is not a member of the committee or subcommittee may be present at a meeting of the committee or subcommittee.

(2) A member mentioned in Subrule (1) who is present at a meeting of a committee or subcommittee —

(a) may speak on a matter before the committee or subcommittee subject to any reasonable restrictions the chairperson may impose; and

(b) may not vote except when the vote is cast as an alternate in terms of Rule 156.

186. Exclusion of members of public from meetings

The chairperson of a committee or subcommittee may —

(a) order a member of the public to leave the meeting —

(i) when the public is excluded from a meeting in terms of Rule 184(1), or

(ii) when necessary to give effect to the measures taken under Rule 184(3); or

(b) order a person referred to in Rule 183 to leave the meeting if that person does not comply with a ruling of the chairperson.

187. Exclusion of other persons from meetings

When the public is excluded from a meeting of a committee or subcommittee in terms of Rule 184(1), the chairperson may order a staff member, a government official and any other person not deemed a member of the public, excluding a member of the Assembly, also to leave the meeting.

188. Removal of persons

When instructed by the chairperson of a committee or subcommittee, the Serjeant-at-Arms must remove or arrange for the removal of any person who —

(a) without permission, is present in that part of a committee room designated for members of the committee or subcommittee only;

(b) disrupts the proceedings of the committee or subcommittee or causes a nuisance; or

(c) does not leave when ordered to leave under Rule 186 or 187.

189. Publication or disclosure of proceedings, evidence, reports, etc

(1) All documents officially before, or emanating from, a committee or subcommittee are open to the public, including the media, but the following documents may not be published, and their contents may not be disclosed, except with the permission of the committee, or the parent committee in the case of a subcommittee, or by order of the Speaker, or by resolution of the Assembly:

(a) The proceedings of, or evidence taken by or placed before, the committee or subcommittee while the public were excluded from a meeting in terms of Rule 184(1);

(b) any report or summary of such proceedings or evidence; and

(c) any document placed before or presented to the committee or subcommittee as a confidential document and declared by it as a confidential document;

(d) any document —

(i) submitted or to be submitted to members of the committee or subcommittee as a confidential document by order of the chairperson of the committee or subcommittee, or

(ii) after its submission to members, declared by the chairperson as a confidential document.

(2) The permission, order or resolution authorising the publication, or the disclosure of the contents, of documents mentioned in Subrule (1) may provide that specific parts of, or names mentioned in, the document may not be published or disclosed.

(3) For the purposes of Subrule (1) a document is officially before a committee or subcommittee when —

(a) the chairperson places the document, or permits the document to be placed, before the committee or subcommittee; or

(b) a person appearing before the committee or subcommittee as a witness or to make representations presents the document to the committee or subcommittee.

(4) Subrules (1)(c) and (d) apply only to documents that —

(a) contain information of a private nature that is prejudicial to a particular person;

(b) are protected under parliamentary privilege, or for any other reason are privileged in terms of the law;

(c) are confidential in terms of legislation; or

(d) are subject to a media embargo, until the embargo expires,

the nature of which is such that its confidential treatment is reasonable and justifiable in an open and democratic society.

Part 5: Rules Committee

190. Establishment

There is a Rules Committee.

191. Composition

(1) Unless the House by resolution decides otherwise, the Rules Committee consists of —

(a) in their capacity of elected office-bearers —

(i) the Speaker, and

(ii) the Deputy Speaker; and

(b) in their capacity as party representatives —

(i) the Chief Whip and nine other members of the majority party,

(ii) the Chief Whip of the largest opposition party and two other members of that party,

(iii) two members of the second largest opposition party, and

(iv) two members representative of other parties,

appointed by the Speaker as members of the Rules Committee.

(2) Alternate members may be appointed for the party representatives referred to in Subrule (1)(b).

(3) The House Chairpersons and other members may attend and participate in Rules Committee meetings in accordance with Rule 185.

192. Chairperson

(1) The Speaker is the chairperson of the Rules Committee.

(2) If the Speaker is not available, the Deputy Speaker performs the functions of the Speaker.

193. Functions and powers

(1) The Rules Committee may —

(a) develop and formulate policy proposals concerning the exclusive business of the Assembly in respect of the proceedings, procedures, rules, orders and practices concerning the business of the Assembly;

(b) monitor and oversee the implementation of policy on all matters referred to in Paragraph (a);

(c) make recommendations to the Joint Rules Committee on any matter falling within the functions and powers of the Rules Committee;

(d) lay down guidelines and issue directives regarding any aspect of policy referred to in this rule;

(e) appoint committees or subcommittees to assist it with the performance of any of its functions or the exercise of any of its powers;

(f) recommend to the Assembly for adoption rules and orders and other policy proposals concerning the business of the Assembly; and

(g) perform any other functions assigned to it by legislation, other provisions of these rules or resolutions of the Assembly.

(2) The committee may deal with a matter falling within its functions and powers —

(a) on its own initiative; or

(b) when referred to it for consideration and report by —

(i) the Assembly, or

(ii) the Speaker.

194. Implementation of policy

(1) The responsibility for the implementation of policy determined by the Rules Committee vests in the Speaker, subject to the decisions of the Rules Committee and resolutions of the Assembly.

(2) The Speaker, with the concurrence of the Rules Committee, may appoint task teams to assist the Speaker in executing the responsibility mentioned in Subrule (1).

195. Quorum

(1) The Rules Committee requires at least one third of its members or alternates referred to in Rules 191(1) and (2) to be present for it to conduct any business.

(2) A majority of the members must be present for it to decide any question.

196. Decisions

A question before the Rules Committee is decided when there is a quorum present in terms of Rule 195(2) and there is agreement on the question among the majority of the members present.

197. Subcommittees

(1) The Rules Committee has the following subcommittees:

(a) Subcommittee on Review of Assembly Rules;

(b) Subcommittee on Physical Removal of Member from Chamber; and

(c) any other subcommittee appointed in terms of Rule 193(1(e).

(2) When the Rules Committee appoints the members of a subcommittee, the committee —

(a) is not restricted to the members of the Rules Committee; and

(b) may appoint any Assembly member.

(3) A subcommittee of the Rules Committee may take a matter to a joint subcommittee of the Joint Rules Committee only if authorised by the Rules Committee.

Subcommittee on Review of Assembly Rules

198. Composition

The Subcommittee on Review of Assembly Rules consists of the number of members and party representation as determined by the Rules Committee.

199. Chairperson

The Rules Committee must appoint one of the members of the subcommittee as the chairperson of the subcommittee.

200. Functions and powers

The subcommittee may —

(a) make recommendations to the Rules Committee regarding —

(i) the proceedings, procedures, rules, orders and practices of the Assembly, and

(ii) the development, formulation or adoption of policy on a matter mentioned in Subparagraph (i); and

(b) perform any other function and exercise any other power assigned to it by the Rules Committee.

Subcommittee on Physical Removal of Member from Chamber

201. Composition

The Subcommittee on Physical Removal of Member from Chamber consists of —

(a) the Deputy Speaker, or if the Deputy Speaker presided in the Chamber at the time when the member was physically removed, a House Chairperson designated by the Speaker;

(b) a senior whip from each party in the Assembly nominated by the party; and

(c) any other member that may be designated by the Speaker.

202. Chairperson

The Deputy Speaker or, as appropriate, the House Chairperson as provided for in Rule 201(a) is the chairperson of the subcommittee.

203. Functions and powers

(1) The subcommittee must consider the circumstances of the physical removal of a member from the Chamber as reported to it by the Speaker in terms of Rule 73(12), taking into account all relevant aspects including —

(a) the conduct of the member concerned;

(b) the ruling by the relevant presiding officer; and

(c) the manner in which the member was removed.

(2) In carrying out its function, the subcommittee may exercise such powers contained in Rule 167 as it may require.

(3) The subcommittee's mandate in considering the circumstances referred to it does not extend to disciplinary proceedings against the member nor a formal review of the presiding officer's ruling.

(4) The subcommittee must report its findings to the Rules Committee within 10 working days, including any recommendations it may make based on those findings.

204. Public access

Meetings of the subcommittee are held in public but may be closed if the subcommittee so decides in accordance with Rule 184.

Part 6: Programme Committee

205. Establishment

There is a Programme Committee.

206. Composition

The Programme Committee consists of —

(a) the Speaker;

(b) the Deputy Speaker;

(c) the Leader of Government Business or a designated representative;

(d) the House Chairpersons;

(e) the Chief Whip;

(f) the deputy chief whip of the majority party in the Assembly;

(g) the whip of the majority party responsible for programming; and

(h) the number of party representatives that the Speaker may determine with the concurrence of the Rules Committee, provided that each party is entitled to at least one representative on the committee.

207. Chairperson

(1) The Speaker is the chairperson of the Programme Committee.

(2) If the Speaker is not available, the Deputy Speaker presides at a meeting of the committee.

208. Functions and powers

The Programme Committee, subject to Rule 210 —

(a) must prepare and, if necessary, from time to time adjust the annual programme of the Assembly, subject to any relevant decisions of the Joint Programme Committee;

(b) must monitor and oversee the implementation of Parliament's annual programme in the Assembly, including the legislative programme;

(c) must implement the rules regarding the scheduling or programming of the business of the Assembly, and the functioning of Assembly committees and subcommittees;

(d) may make recommendations to the Joint Programme Committee on any matter falling within the functions and powers of that committee; and

(e) may take decisions and issue directives and guidelines to prioritise or postpone any business of the Assembly, but when the committee prioritises or postpones any government business in the Assembly it must act in consultation with the Leader of Government Business.

209. Quorum

The committee may proceed with its business irrespective of the number of members present.

210. Decisions

(1) Decisions are taken in the Programme Committee by consensus.

(2) If consensus cannot be reached on a question before the Programme Committee, a decision on the question may be taken, at the meeting

or subsequently, by the Chief Whip with the concurrence of the Speaker and the Leader of Government Business in accordance with Rule 44.

(3) If a decision is taken subsequently in terms of Subrule (2), the decision must be communicated to all parties without delay.

Part 7: Powers and Privileges Committee

211. Establishment

There is a Powers and Privileges Committee as required by Section 12 of the Powers and Privileges Act.

212. Composition

(1) The committee consists of the number of Assembly members that the Speaker may determine with the concurrence of the Rules Committee, subject to the provisions of Rule 154.

(2) The committee must elect a chairperson, and may elect an acting chairperson when the chairperson is not available.

213. Meetings

(1) The chairperson of the committee convenes meetings of the committee.

(2) Meetings of the committee must be held in closed session when the committee considers a matter affecting a specific member or members and the committee regards that matter to be confidential, unless the committee decides to open a meeting in the public interest.

(3) Meetings of the committee must be open when it considers matters in terms of its general functions when such matters are not related to a specific member or members.

214. Functions

(1) The committee must consider any matter referred to it by the Speaker relating to contempt of Parliament or misconduct[1] by a member or a request to have a response recorded in terms of Section 25 of the Powers and Privileges Act, except a breach of the Code of Conduct contained in the Schedule to the Joint Rules.

(2) (a) Upon receipt of a matter relating to contempt of Parliament or misconduct by a member, the committee must deal with the matter in accordance with the procedure contained in the Schedule to the Rules of the National Assembly.

(b) The committee must table a report in the Assembly on its findings and recommendations in respect of any alleged contempt of Parliament, as defined in Section 13 of the Powers and Privileges Act, or misconduct.

(c) If it is found that a member is guilty of contempt or misconduct, the committee must recommend an appropriate penalty from those contained in Section 12(5) of the Powers and Privileges Act.

(d) The Assembly may impose the recommended penalty, an alternative penalty contained in Section 12(5) of the Powers and Privileges Act, or no penalty.

(3) The committee may on its own initiative or upon request by the Speaker conduct research and comment on matters relating to the powers, privileges and immunities of Parliament.

1. The rules in this part are still to be reviewed, also with reference to "misconduct". (See *Chapter 1, Part 1: Definitions* and *Chapter 12, Part 8: Disciplinary Committee*)

(4) (a) After receiving the request to have a response recorded referred to in Subrule (1), the committee must without delay inform the member or witness concerned that a request to have a response recorded has been received, and thereafter consider the request in accordance with criteria that the committee has approved.

(b) In considering the request, the committee may invite verbal or written submissions by the member, witness or any other person concerned.

(c) After considering the request to have a response recorded, the committee must publish the response in the ATC, refer it back to the person for amendments, or not publish the response.

215. Decisions

A question before the committee is decided when a quorum in terms of Rule 162(2) is present and there is agreement among the majority of the members present.

Part 8: Disciplinary Committee

216. Establishment

There is a Disciplinary Committee consisting of —

(a) the Deputy Speaker;

(b) a senior whip from each party in the Assembly nominated by the party; and

(c) any other Assembly member or members designated by the Speaker.

217. Chairperson

(1) The Deputy Speaker is the chairperson of the Disciplinary Committee.

(2) If the Deputy Speaker is not available, a member of the committee designated by the Speaker performs the functions of the Deputy Speaker as chairperson of the committee.

218. Meetings

The Deputy Speaker convenes a meeting of the Disciplinary Committee.

219. Functions and powers

The Disciplinary Committee —

(a) at the Speaker's request, must investigate any alleged misconduct by a member except —

(i) a charge against a member of contempt of Parliament in terms of the Powers and Privileges Act, or

(ii) a breach of the Code of Conduct contained in the Schedule to the Joint Rules; and

(b) must report to the Speaker.

220. Public access

Meetings of the committee must be held in closed session.

Part 9: Forum of Committee Chairpersons

221. Establishment

There is a Forum of Committee Chairpersons.

222. Composition

(1) The Forum of Committee Chairpersons consists of —

(a) the House Chairpersons; and

(b) the chairperson of each Assembly committee and each Assembly member who is a chairperson or co-chairperson of a joint committee, or an Assembly member of the committee designated by the chairperson.

(2) The forum may co-opt the chairperson of an ad hoc committee as a member of the forum.

223. Chairperson

(1) The House Chairperson designated by the Speaker presides at meetings of the Forum of Committee Chairpersons.

(2) If the designated House Chairperson is not available, another House Chairperson may preside at a meeting of the forum.

224. Functions and powers

The Forum of Committee Chairpersons may make recommendations to the Rules Committee or the Programme Committee regarding any matter affecting the scheduling or functioning of any Assembly committee, subcommittee or other Assembly forum.

Part 10: Portfolio committees

225. Establishment

The Speaker acting with the concurrence of the Rules Committee must —

(a) establish a range of portfolio committees;

(b) assign a portfolio of government affairs to each committee; and

(c) determine a name for each committee.

226. Composition

A portfolio committee consists of the number of Assembly members that the Speaker may determine with the concurrence of the Rules Committee in each case, subject to the provisions of Rule 154.

227. Functions

(1) A portfolio committee —

(a) must deal with Bills and other matters falling within its portfolio as are referred to it in terms of the Constitution, legislation, these rules, the Joint Rules or by resolution of the Assembly;

(b) must maintain oversight of —

(i) the exercise within its portfolio of national executive authority, including the implementation of legislation,

(ii) any executive organ of state falling within its portfolio,

(iii) any constitutional institution falling within its portfolio, and

(iv) any other body or institution in respect of which oversight was assigned to it;

(c) may monitor, investigate, enquire into and make recommendations concerning any such executive organ of state, constitutional institution or other body or institution, including the legislative programme, budget, rationalisation, restructuring, functioning, organisation, structure, staff and policies of such organ of state, institution or other body or institution;

(d) may consult and liaise with any executive organ of state or constitutional institution; and

(e) must perform any other functions, tasks or duties assigned to it in terms of the Constitution, legislation, these rules, the Joint Rules or resolutions of the Assembly, including functions, tasks and duties concerning parliamentary oversight or supervision of such executive organs of state, constitutional institutions or other bodies or institutions.

(2) Bills and amendments to Bills referred to a portfolio committee must be considered by it in accordance with Chapter 13 of these rules and Chapter 3 of the Joint Rules.

(3) If there is doubt which portfolio committee must deal with a specific matter, the Speaker in consultation with the Chief Whip must decide the question, subject to any directions of the Rules Committee or a resolution of the Assembly.

228. Decisions

(1) A question before a portfolio committee is decided when a quorum in terms of Rule 162(2) is present and there is agreement among the majority of the members present.

(2) A question before two or more conferring Assembly committees is decided when a majority of members of each of the conferring committees is present and there is agreement on the question between the conferring committees.

229. Subcommittees

A portfolio committee may appoint a subcommittee from among its members to assist the committee.

Part 11: Standing Committee on Finance

230. Establishment

There is a Standing Committee on Finance, established in terms of Section 4(1) of the Money Bills Amendment Procedure and Related Matters Act, 2009 and Rule 152.

231. Composition

The Standing Committee on Finance consists of the number of Assembly members that the Speaker may determine with the concurrence of the Rules Committee, subject to the provisions of Rule 154.

232. Functions and powers

(1) The Standing Committee on Finance must perform the functions and exercise the powers specified in the Money Bills Amendment Procedure and Related Matters Act, 2009.

(2) The committee must also perform the functions listed in Rule 227 and can exercise the powers specified in Rule 167, except in so far as any of these provisions are inconsistent with —

(a) the provisions of the Money Bills Amendment Procedure and Related Matters Act, 2009;

(b) another provision of these rules applicable in a specific case; or

(c) a resolution of the Assembly.

233. Consultation

The committee must consult with its counterpart in the Council and other committees on matters specified in the Money Bills Amendment Procedure and Related Matters Act, 2009, in a manner agreed by the committee.

234. Subcommittees

The committee may appoint a subcommittee from amongst its members to assist the committee, the subcommittee to adhere to the provisions of Part 3 of Chapter 12 of the Assembly Rules.

235. Public involvement

The committee must ensure public involvement in accordance with the provisions of the Constitution and the Money Bills Amendment Procedure and Related Matters Act, 2009.

Part 12: Standing Committee on Appropriations

236. Establishment

There is a Standing Committee on Appropriations, established in terms of Section 4(3) of the Money Bills Amendment Procedure and Related Matters Act, 2009 and Rule 152.

237. Composition

The Standing Committee on Appropriations consists of the number of Assembly members that the Speaker may determine with the concurrence of the Rules Committee, subject to the provisions of Rule 154.

238. Functions and powers

(1) The Standing Committee on Appropriations must perform the functions and exercise the powers specified in the Money Bills Amendment Procedure and Related Matters Act, 2009 and can exercise the powers specified in Rule 167.

(2) The committee must perform any other functions, tasks or duties assigned to it in terms of the Constitution, legislation, these rules, the Joint Rules or resolutions of the Assembly.

(3) The committee may consult and liaise with any executive organ of state or constitutional institution.

239. Consultation

The committee must consult with its counterpart in the Council and other committees on matters specified in the Money Bills Amendment Procedure and Related Matters Act, 2009, in a manner agreed by the committee.

240. Subcommittees

The committee may appoint a subcommittee from amongst its members to assist the committee, the subcommittee to adhere to the provisions of Part 3 of Chapter 12 of the Assembly Rules.

241. Mediation

When conflicting amendments are proposed by portfolio committees —

(a) a subcommittee of the Standing Committee on Appropriations consisting of the chairperson and three other members must conduct mediation with a view to finding agreement on the conflicting amendments; and

(b) the subcommittee established in terms of (a) will be advised by three members from each of the portfolio committees that had submitted conflicting amendments and, if requested by the Standing Committee on Appropriations, two members designated by the Speaker.

242. Public involvement

The committee must ensure public involvement in accordance with the provisions of the Constitution and the Money Bills Amendment Procedure and Related Matters Act, 2009.

Part 13: Standing Committee on Public Accounts

243. Establishment

There is a Standing Committee on Public Accounts.

244. Composition

The Standing Committee on Public Accounts consists of the number of Assembly members that the Speaker may determine with the concurrence of the Rules Committee, subject to the provisions of Rule 154.

245. Functions and powers

(1) The Standing Committee on Public Accounts —

(a) must consider —

(i) the financial statements of all executive organs of state and constitutional institutions or other public bodies when those statements are submitted to Parliament,

(ii) any audit reports issued on those statements,

(iii) any reports issued by the Auditor-General on the affairs of any executive organ of state, constitutional institution or other public body,

(iv) any reports reviewing expenditure of public funds by any executive organ of state and constitutional institution or other public body, and

(v) any other financial statements or reports referred to the committee in terms of these rules;

(b) may report on any of those financial statements or reports to the Assembly;

(c) may initiate any investigation in its area of competence; and

(d) must perform any other functions, tasks or duties assigned to it in terms of the Constitution, legislation, these rules, the Joint Rules or resolutions of the Assembly, including functions, tasks and duties concerning parliamentary financial oversight or supervision of executive organs of state, constitutional institutions or other public bodies.

(2) The Speaker must refer the financial statements and reports mentioned in Paragraphs (a)(i) to (iv) to the committee when they are submitted to Parliament, irrespective of whether they are also referred to another committee.

246. Decisions

A question before the committee is decided when a quorum in terms of Rule 162(2) is present and there is agreement among the majority of the members present.

247. Subcommittees

The Standing Committee on Public Accounts may appoint a subcommittee from amongst its members to assist the committee.

248. Notice to portfolio committee

When a matter falling within a portfolio committee's competence is to be considered by the Standing Committee on Public Accounts, the chairperson of the committee, after consultation with the chairperson of the portfolio committee, must give notice to the portfolio committee when that matter will be considered by the committee.

Part 14: Standing Committee on the Auditor-General

249. Establishment

There is a Standing Committee on the Auditor-General, established in terms of Section 10(3) of the Public Audit Act, 2004.

250. Composition

The Standing Committee on the Auditor-General consists of the number of Assembly members that the Speaker may determine with the concurrence of the Rules Committee, subject to the provisions of Rule 154.

251. Functions and powers

(1) The Standing Committee on the Auditor-General must —

(a) maintain oversight over the Auditor-General; and

(b) perform the functions and exercise the other powers as specified in the Public Audit Act, 2004.

(2) The Assembly may by resolution assign any other function, task or duty to the Standing Committee on the Auditor-General within its area of competence.

(3) The Standing Committee on the Auditor-General may not consider —

(a) audit reports produced by the Auditor-General; and

(b) any budget or business plan other than that of the Auditor-General.

252. Decisions

A question before the Standing Committee on the Auditor-General is decided when a quorum in terms of Rule 162(2) is present and there is agreement among the majority of members present.

Part 15: Ad hoc committees

253. Establishment

(1) An ad hoc committee may be established —

(a) by resolution of the Assembly; or

(b) during an adjournment of the Assembly for a period of more than 14 days, by the Speaker after consulting the Chief Whip and the most senior whip of each of the other parties.

(2) Any decision by the Speaker to appoint an ad hoc committee must be tabled in the Assembly on its first sitting day after the decision was taken, for ratification by the Assembly.

(3) An ad hoc committee may only be established for the performance of a specific task.

(4) The resolution of the Assembly or decision of the Speaker establishing an ad hoc committee must —

(a) specify the task assigned to the committee; and

(b) set time frames for —

(i) the completion of any steps in performing the task, and

(ii) the completion of the task.

(5) An ad hoc committee has those of the powers listed in Rule 167 only as are specified in the resolution or decision establishing the committee.

(6) An ad hoc committee ceases to exist —

(a) when it has completed the task for which it was established and has submitted its report to the Assembly;

(b) if it is dissolved by the Assembly earlier; or

(c) if it has not completed its task by the date set for the completion of the task;

provided that the committee may be revived thereafter by decision of the Speaker or resolution of the House.

254. Composition

(1) The Assembly resolution establishing an ad hoc committee must either specify the number of members to be appointed or the names of the members who are appointed.

(2) The Speaker appoints the members of an ad hoc committee if —

(a) the resolution of the Assembly establishing the ad hoc committee does not specify the names of the committee members; or

(b) the Speaker established the ad hoc committee.

(3) The Speaker must appoint the members of an ad hoc committee

established by —

(a) the Assembly, within five working days after the establishment of the committee; and

(b) the Speaker, within 10 working days after the establishment of the committee.

(4) When appointing the members of an ad hoc committee the Speaker must consult —

(a) the Chief Whip when a member of the majority party is appointed; and

(b) the most senior whip of another party when a member of that particular party is appointed.

(5) The names of the members appointed must be published in the ATC without delay.

255. Decisions

Unless a resolution establishing an ad hoc committee provides otherwise, a question before an ad hoc committee is decided when a quorum in terms of Rule 162(2) is present and there is agreement among the majority of the members present.

Part 16: Other structures relating to Assembly programming and functioning

Chief Whips' Forum

256. Establishment

There is a Chief Whips' Forum.

257. Composition

(1) The Chief Whips' Forum consists of —

(a) the House Chairpersons;

(b) the Chief Whip;

(c) the deputy chief whip of the majority party; and

(d) the most senior whip of each of the other parties represented in the Assembly.

(2) The Speaker and the Deputy Speaker may attend meetings of the forum or designate someone to attend on their behalf.

(3) A whip referred to in Subrule (1)(d) who is unable to attend a meeting of the forum may designate another whip to attend the meeting.

(4) Rule 156 does not apply to this forum.

258. Chairperson

(1) The Chief Whip is the chairperson of the Chief Whips' Forum.

(2) If the Chief Whip is not available, the deputy chief whip of the majority party performs the functions of the Chief Whip.

259. Meetings

(1) The Chief Whip may call a meeting of the forum on own initiative or upon request by another member of the forum, but must call a meeting if the Speaker so requests.

(2) The forum meets in closed session unless it decides otherwise.

260. Functions and powers

The Chief Whips' Forum acts as a forum —

(a) for the discussion and co-ordination of matters for which the whips are responsible; and

(b) which the Speaker may consult when appropriate.

Arrangement of House business and certain committee meetings

261. Unusual meetings of committees and subcommittees

(1) A committee or subcommittee may sit on a day which is not a working day, or at a venue beyond the seat of Parliament, or during a recess of the Assembly, or at a time when the Assembly is sitting, only with the permission of the Chief Whip.

(2) If a committee or subcommittee applies to the Chief Whip to sit on a day which is not a working day, or at a venue beyond the seat of Parliament, the Chief Whip may give permission in terms of Subrule (1) only after having consulted the Speaker.

House Chairperson: Committees

262. Scheduling function of the designated House Chairperson

The House Chairperson designated by the Speaker must, as delegated by the Speaker, implement any policy, directive or guideline on the scheduling and co-ordination of meetings of all committees and subcommittees.

Part 17: Miscellaneous committee matters

263. Composition of Assembly component in Mediation Committee

(1) The number of Assembly representatives in the Mediation Committee to which a party is entitled must be determined by multiplying the number of seats the party holds in the Assembly by 9 and dividing the result by 401.

(2) The result, disregarding any decimal fractions, indicates the number of representatives allocated to the party.

(3) If any number of representatives remains unallocated, the representative or number of representatives is allocated in sequence of the highest decimal fractions referred to in Subrule (2).

(4) If no representative is allocated to a party in terms of Subrules (1) to (3), that party may designate an observer in the Assembly component of the Mediation Committee.

264. Election of Assembly members to Mediation Committee

(1) The Assembly must elect its nine representatives to the Mediation Committee in accordance with the respective allocations made to parties in terms of Rule 263.

(2) Each party must nominate in accordance with its allocation a member or members for election by the Assembly.

(3) If the Assembly fails to elect a member nominated by a party, the party must nominate another member.

265. Alternates for Assembly representatives in Mediation Committee

Alternates for Assembly representatives in the Mediation Committee envisaged in Joint Rule 105 must be elected in accordance with the same procedure applicable to the election of the Assembly representatives in terms of Rule 264.

266. Ad hoc joint committees

(1) The Speaker must appoint the members of the Assembly who are to serve on an ad hoc joint committee.

(2) The Speaker must cause the names of the members so appointed to be published in the ATC.

(3) The Speaker must so appoint members whose names have been submitted by the chief or other whip of a party in the Assembly, not exceeding the number of members which such party is entitled to have on the committee.

(4) If the names of members of a party have not been so submitted within two working days after the Speaker has called upon the chief or other whip of a party to submit the names of members to be appointed to the committee, such party must be regarded as not willing to participate in the committee.

CHAPTER 13
LEGISLATIVE PROCESS

Part 1: Introduction

267. Legislative powers of Assembly

(1) The national legislative authority as vested by the Constitution in Parliament confers on the Assembly, in terms of Section 44(1) of the Constitution, the power —

(a) to amend the Constitution;

(b) to pass legislation with regard to any matter, including a matter within a functional area listed in Schedule 4 to the Constitution, but excluding, subject to Subrule (2), a matter within a functional area listed in Schedule 5; and

(c) to assign any of its legislative powers, except the power to amend the Constitution, to any legislative body in another sphere of government.

(2) The Assembly may, as part of the legislative process contemplated in terms of Section 44(2) of the Constitution, pass legislation falling within a functional area listed in Schedule 5 to the Constitution, when it is necessary —

(a) to maintain national security;

(b) to maintain economic unity;

(c) to maintain essential national standards;

(d) to establish minimum standards required for the rendering of services; or

(e) to prevent unreasonable action taken by a province which is prejudicial to the interests of another province or to the country as a whole.

(3) Any Bill may in terms of Section 73(1) of the Constitution be introduced in the Assembly.

(4) In exercising its legislative powers, the Assembly in terms of Section 55 of the Constitution may —

(a) consider, pass, amend or reject any legislation before the Assembly; and

(b) initiate or prepare legislation, except money Bills.

268. Initiation of legislation by Assembly

(1) The Assembly initiates or prepares legislation in terms of these rules for introduction as envisaged in Section 73(2) of the Constitution through —

(a) its committees acting with the permission of the Assembly; or

(b) its members.

(2) Save for a money Bill or legislation envisaged in Section 214 of the Constitution, any committee or member of the Assembly may in terms of Section 73(2) of the Constitution introduce a Bill in the Assembly that has been initiated or prepared in terms of Subrule (1).

269. Initiation of legislation by national executive

(1) The national executive may prepare and initiate legislation in terms of Section 85(2)(d) of the Constitution for introduction in the Assembly.

(2) Such legislation may be introduced in the Assembly by a Cabinet member or a Deputy Minister in terms of Section 73(2) of the Constitution, but only the Cabinet member responsible for national financial matters may introduce a money Bill or a Bill which provides for equitable shares and allocations of revenue as envisaged in Section 214 of the Constitution.

270. Application of this chapter

(1) The rules set out in Parts 1, 2, 3 and 9 of this chapter apply to Bills of all types to the extent that those rules are not inconsistent with the rules for specific types set out in Parts 4 to 8 of this chapter.

(2) This chapter must be read with Chapter 4 of the Joint Rules.

Part 2: Steps prior to introduction

Bills initiated by Cabinet members and Deputy Ministers

271. Submission of legislative proposals to Speaker

A Cabinet member or Deputy Minister intending to introduce a Bill in the Assembly must, as is set out in Joint Rule 159, before the Bill is introduced submit to the Speaker —

(a) the draft of the proposed Bill as approved by Cabinet, whether or not the draft has been legally or technically formalised as a proper draft Bill; and

(b) a memorandum explaining the objects of the proposed legislation.

Bills initiated by Assembly members in individual capacity

272. Preparation of draft Bill

(1) A member who intends to initiate or prepare legislation in an individual capacity (other than as a Cabinet member or Deputy Minister) for introduction in the Assembly as contemplated in Rule 268 must —

(a) prepare a draft Bill, and a supporting memorandum setting out the objects of the Bill, in a form and style that complies with any prescribed requirements, including those set out in Rule 279; and

(b) comply with Rule 276 or, if it is a proposed constitutional amendment, with Rule 295.

(2) The Speaker must reimburse a member —

(a) for any reasonable expenses incurred by the member in the publication of a Bill as contemplated in Rule 276, provided that such publication is facilitated by the Speaker; and

(b) in full for any reasonable expenses incurred by the member in the preparation of a Bill as contemplated in Rule 276 if the Bill, with or without amendments, is passed by the Assembly, provided that those expenses were approved by the Speaker before they were incurred.

Bills initiated by Assembly committees

273. Submission of legislative proposals to Speaker

(1) An Assembly committee intending to introduce a Bill in the Assembly must, for the purpose of obtaining the Assembly's permission in terms of Rule 268(1), table in the Assembly a memorandum which —

(a) sets out particulars of the proposed legislation;

(b) explains the objects of the proposed legislation;

(c) states whether the proposed legislation will have financial implications for the state and, if so, gives an account of those implications; and

(d) sets out the views of the executive on the objects of the proposed legislation.

(2) The Speaker must place the proposed legislation on the Order Paper for decision.

(3) The Assembly may —

(a) give permission that the proposed legislation be proceeded with;

(b) refer the proposed legislation back to the committee for reconsideration; or

(c) refuse permission.

(4) If the Assembly gives permission that the proposed legislation be proceeded with, it may, if it so chooses —

(a) express itself on the desirability of the proposed legislation; or

(b) subject its permission to conditions.

274. Preparation of draft Bill

(1) If the Assembly gives permission that the proposed legislation be proceeded with, the committee must —

(a) prepare a draft Bill, and a memorandum setting out the objects of the Bill in a form and style that complies with any prescribed requirements, including those set out in Rule 279;

(b) consult the JTM for advice on the classification of the Bill; and

(c) comply with Rule 276 or, if it is a proposed constitutional amendment, with Rule 295.

(2) If the committee chooses in terms of Rule 276 or 295 to publish the draft Bill, it is not bound to publish the Bill as it is to be introduced, but the committee may publish any version of the draft Bill prepared by it in terms of Subrule (1)(a).

(3) The committee must report to the Assembly when it publishes the draft Bill.

275. Consideration of draft Bill before introduction

Before introducing its Bill, the committee —

(a) must give interested persons and institutions a period of at least three weeks after the draft Bill or particulars of the draft Bill have been published in terms of Rule 276 or 295 to comment on the proposed legislation;

(b) must give the relevant department in the national executive authority or executive organ of state in the national sphere of government sufficient opportunity to make submissions to the committee;

(c) must consult the JTM for advice on the classification of the draft Bill as it is to be introduced; and

(d) may in view of any comments received in terms of Paragraph (a) or (b) or advice given in terms of Paragraph (c), adjust the draft Bill before its introduction.

All Bills generally

276. Prior notice and publication of draft legislation

(1) A Bill may be introduced in the Assembly only if —

(a) a copy of the draft legislation has been submitted to the Speaker in terms of Rule 271, if it is a Bill initiated by the national executive and that rule is applicable;

(b) prior notice of its introduction has been given in the Gazette; and

(c) an explanatory summary of the Bill, or the draft Bill as it is to be introduced, has been published in the Gazette.

(2) When intending to introduce a Bill in the Assembly, an Assembly member acting in his or her individual capacity must, as soon as possible after publication contemplated in Subrule (1)(c), submit to the Speaker the explanatory summary of the Bill, or the draft Bill, as appropriate.

(3) The Speaker must refer the explanatory summary of the Bill, or the draft Bill, as appropriate, contemplated in Subrule (2) to the responsible portfolio committee in order —

(a) to assist the committee in planning its work; and

(b) to enable the committee members to acquaint themselves with and to develop their positions with regard to the proposed legislation.

(4) If the Bill as it is to be introduced is published, the notice referred to in Subrule (1)(b) must contain an invitation to interested persons and institutions to submit written representations on the draft legislation to the Speaker within a specified period.

(5) If the draft Bill itself is published, a memorandum setting out the objects of the Bill must also be published.

(6) This rule does not apply to —

(a) constitution amendment Bills, which must be dealt with in terms of Rule 295; and

(b) money Bills when the special procedure set out in Rule 322(2) is followed.

(7) Subrules (1)(b) and (c) do not apply to a Bill that has been certified by the member in charge of the Bill, in consultation with the Speaker, as an urgent matter.

277. Notice withdrawing proposed legislation

(1) If a Cabinet member, Deputy Minister, committee or member decides not to proceed with the introduction of a Bill after Rule 276 has been complied with, the Cabinet member, Deputy Minister, committee or member must without delay inform the Speaker in writing of the decision.

(2) In the case of a Cabinet member or Deputy Minister referred to in Subrule (1), he or she must publish a notice in the Gazette stating that the proposed legislation has been withdrawn.

(3) The Speaker must publish a notice in the Gazette stating that the proposed legislation has been withdrawn where a committee or member decides not to proceed with the introduction of the Bill as is contemplated in Subrule (1).

278. Referral of Bills to National House of Traditional Leaders

(1) The Secretary must refer a Bill to the National House of Traditional Leaders if the JTM has made a finding that the Bill pertains to customary law or customs of traditional communities in accordance with Rule 192 of the Joint Rules.

(2) The Secretary must inform the Speaker and the chairperson of the portfolio committee to which the Bill was referred of the date of referral, which date must be published in the relevant parliamentary paper.

Part 3: Introduction of Bills and First and Second Readings

Introduction and related matters

279. Introduction of Bills in Assembly

(1) A Cabinet member or Deputy Minister or an Assembly member or committee introduces a Bill (other than a Bill mentioned in Subrule (8)) by submitting to the Speaker —

(a) a copy of the Bill or, if the Bill as it is introduced was published in terms of Rule 276(1)(c), a copy of the Gazette concerned;

(b) the explanatory summary referred to in Rule 276(1)(c), if a draft of the Bill itself was not published; and

(c) a supporting memorandum which must —

(i) state whether the Bill is introduced as a proposed Section 75 Bill, a Section 76(1) Bill, or a money Bill,

(ii) explain the objects of the Bill,

(iii) give an account of the financial implications of the Bill for the state,

(iv) contain a list of all persons and institutions that have been consulted in preparing the Bill; provided that in respect of Bills introduced by a member in his or her individual capacity, such a list may be included where consultations were conducted,

(v) if the Bill is introduced by a Cabinet member or a Deputy Minister, include a legal opinion by a state law adviser, or a law adviser of the state department concerned, on the classification of the Bill and any other question in respect of which the JTM is required to make a finding in terms of Joint Rule 160, and

(vi) if the Bill is introduced by a committee or an Assembly member, include a legal opinion by a parliamentary legal adviser on the classification of the Bill and any other question in respect of which the JTM is required to make a finding in terms of Joint Rule 160.

(2) A Bill introduced by a Cabinet member or Deputy Minister must be certified by the Chief State Law Adviser or a state law adviser designated by him or her as being —

(a) consistent with the Constitution; and

(b) properly drafted in the form and style which conforms to legislative practice.

(3) If a Bill is not certified as contemplated in Subrule (2), the Bill must be accompanied by a report or legal opinion by a state law adviser mentioned in Subrule (2) on why it has not been so certified.

(4) A Bill introduced by a committee or an Assembly member must be certified by the Chief Parliamentary Legal Adviser or a parliamentary legal adviser designated by him or her as being —

(a) consistent with the Constitution and existing legislation; and

(b) properly drafted in the form and style which conforms to legislative drafting practice.

(5) If a Bill is not certified as contemplated in Subrule (4), the Bill must be accompanied by a report or legal opinion by a parliamentary legal adviser mentioned in Subrule (4) on why it has not been so certified.

(6) A Bill introduced by a Cabinet member or Deputy Minister must contain on its cover page a reference to that Cabinet member or Deputy Minister as the person introducing the Bill.

(7) A Bill introduced by —

(a) an Assembly member; or

(b) a committee with the Assembly's permission in terms of Rule 273(3), must —

(i) be accompanied by a statement to that effect, and

(ii) contain on its cover page a reference to the name of the member or the committee as the member or committee introducing the Bill.

(8) This rule does not apply to —

(a) constitution amendment Bills, which must be introduced in accordance with Rule 297; and

(b) money Bills when the special procedure set out in Rule 322(2) is followed.

280. Classification of Bills

(1) When a Bill, other than a Bill initiated by an Assembly committee, is introduced in the Assembly in terms of Rule 279 or 297, the Speaker must refer the Bill to the JTM for classification of the Bill in terms of Joint Rule 160.

(2) The findings of the JTM contemplated in Rule 275(c) in respect of a Bill initiated by an Assembly committee must be tabled in the Assembly with the Bill when it is introduced.

(3) The classification of the Bill and all findings of the JTM must be —

(a) conveyed to the portfolio or other committee considering the Bill; and

(b) tabled in the Assembly.

281. Reintroduction of Bills ruled out of order by JTM

A Bill reintroduced in the Assembly in terms of Joint Rule 162 must follow the same procedure as if it were introduced for the first time, except that the steps prior to introduction as prescribed by the Assembly rules do not apply if no substantive new provisions were added to the Bill.

First and Second Reading procedures

282. When First and Second Reading procedures are applicable

(1) Subject to Rules 283(2) and 284(2), all Bills introduced in the Assembly have a First Reading, except a Bill initiated and introduced by an Assembly committee, and a Second Reading in the Assembly after their introduction, and all Bills introduced in and as passed by the Council have a First Reading and a Second Reading in the Assembly after their referral to the Assembly.

(2) The First Reading of a Bill consists of an introduction by the member in charge followed by a debate as provided for in these rules, the First Reading being confined to the principles of the Bill as contained in the Long Title of the Bill and as may be elaborated on in the supporting memorandum.

(3) The Second Reading of a Bill consists of a debate on the substance of the Bill and a decision on the Bill by the Assembly.

283. Procedure when Assembly in session

(1) If the Assembly is in session when a Bill is introduced in the Assembly or when a Bill introduced in and as passed by the Council is referred for the first time to the Assembly —

(a) the person in charge of the Bill must submit to the Speaker a notice of First Reading of the Bill; and

(b) the Speaker must table in the Assembly the Bill and the supporting memorandum and, if there is one, also the explanatory summary.

(2) (a) Once notice has been given in terms of Subrule (1)(a), the Bill must be placed on the Order Paper for First Reading, unless the Programme Committee in accordance with Rule 210 decides otherwise in respect of a particular Bill.

(b) The First Reading is conducted in accordance with Rule 285.

(c) No decision is taken by the Assembly at the conclusion of the First Reading and no amendment to a Bill is allowed on the First Reading of the Bill.

(d) When the First Reading has been concluded, or when the First Reading is dispensed with by decision of the Programme Committee in accordance with Rule 210, the Bill is regarded as having been read a first time.

(3) When a Bill has been read a first time, the Speaker must refer the Bill and its annexures —

(a) to the portfolio committee under which the subject of the Bill falls;

(b) by resolution of the Assembly to any other Assembly committee; or

(c) to a joint committee, if this is required by a decision in terms of Joint Rule 166.

(4) If the Bill is referred to an Assembly committee, the committee must deal with the Bill in accordance with Rule 286, but if the Bill is referred to a joint committee, the Joint Rules apply.

(5) A Bill initiated and introduced by an Assembly committee does not have a First Reading but upon introduction must be placed directly on the Order Paper for Second Reading unless the Bill is referred to a joint committee.

284. Procedure during recess

(1) If the Assembly is in recess when a Bill is introduced in the Assembly

or when a Bill introduced in and as passed by the Council is referred for the first time to the Assembly, the Speaker must refer the Bill and its annexures —

(a) to the portfolio committee within whose portfolio the subject of the Bill falls;

(b) with the concurrence of the person in charge of the Bill, to any other Assembly committee; or

(c) to a joint committee, if this is required by a decision in terms of Joint Rule 166.

(2) (a) A Bill referred to a committee in terms of Subrule (1) must additionally be placed on the Order Paper for First Reading in the Assembly at an early date upon the resumption of House business, unless the Programme Committee in accordance with Rule 210 decides otherwise in respect of a particular Bill.

(b) If the First Reading of a Bill is dispensed with in terms of Paragraph (a), the Bill is regarded as having been read a first time.

(3) The Bill, together with its annexures, must be submitted to the members of the committee at least 14 days before the date appointed for a meeting of the committee, unless the Assembly or, if the Bill is referred to a joint committee, both Houses, are due to meet during that period.

(4) If the Bill is referred to an Assembly committee, the committee must deal with the Bill in accordance with Rule 286, but if the Bill is referred to a joint committee, the Joint Rules apply.

285. First Reading

(1) The debate on the First Reading of a Bill must be conducted on the principles of the Bill as contained in its Long Title.

(2) The Programme Committee must schedule and allocate time for the debate in accordance with Rule 210.

(3) The person in charge must be allocated 15 minutes to make an introductory speech and to reply to the debate.

(4) (a) There is no speakers' list, members being permitted to speak for no longer than three minutes upon being recognised by the presiding officer.

(b) No member except the person in charge of the Bill may speak more than once in the debate.

(5) At the conclusion of the First Reading debate on the Bill, no decision on the Bill is taken by the House but the Bill is regarded as having been read a first time.

286. Process in committee

(1) If a Bill has been published for public comment in terms of Rule 276 or 295, the Assembly committee to which the Bill is referred must give interested persons and institutions an opportunity to comment on the Bill.

(2) If a Bill has not been published for public comment and the committee to which the Bill is referred considers public comment on the Bill to be necessary, it may by way of invitations, press statements, advertisements or in any other manner, invite the public to comment on the Bill.

(3) A committee to which a Bill introduced by an Assembly member in his or her individual capacity has been referred must provide reasonable notice to the person in charge of the Bill before it considers the Bill.

(4) The committee —

(a) must inquire into the subject of the Bill and report on it to the Assembly;

(b) may seek the permission of the Assembly to inquire into extending the subject of the Bill;

(c) if the Bill amends provisions of legislation, must, if it intends to propose amendments to other provisions of that legislation, seek the permission of the Assembly to do so;

(d) may, or if ordered by the Speaker must, consult any other committee that has a direct interest in the substance of the Bill;

(e) must, if the Bill was introduced by a member in his or her individual capacity, give the relevant department in the national executive authority or executive organ of state in the national sphere of government sufficient opportunity to make submissions to the committee on the objects and particulars of the Bill;

(f) may, or if permitted by the Assembly to extend the subject of a Bill in accordance with Paragraph (b) or (c) must, consult the person in charge of the Bill;

(g) may consult the JTM on whether any amendments to the Bill proposed in the committee —

(i) may affect the classification of the Bill, or

(ii) may render the Bill constitutionally or procedurally out of order;

(h) may not propose an amendment that —

(i) affects the classification of the Bill, except as provided in Subrule (5) and Joint Rule 163, or

(ii) renders the Bill constitutionally or procedurally out of order within the meaning of Joint Rule 161;

(i) after due deliberation, must consider a motion of desirability on the subject matter of the Bill and, if rejected, must immediately table the Bill and its report on the Bill;

(j) if the motion of the desirability is adopted, must proceed to deliberate on the details of the legislation;

(k) may recommend approval or rejection of the Bill or present with its report an amended Bill or a redraft of the Bill, provided that in the case of a redraft the subject of the Bill has not been extended without the permission of the Assembly as contemplated in Paragraphs (b) and (c);

(l) must report to the Assembly in accordance with Rule 288;

(m) may report to the Assembly on a Bill introduced in the Assembly and classified as being subject to Section 18(1) of the Traditional Leadership and Governance Framework Act, 2003, only after 30 days have passed since the referral to the National House of Traditional Leaders in terms of Rule 278; and

(n) if an amended Bill or a redraft of the Bill is to be presented to the Assembly, must formally adopt the final version of the Bill as it is to be presented.

(5) The committee may propose an amendment that changes the classification of a Section 75 to a Section 76 Bill, or a Section 76 to a Section 75 Bill, only if the JTM is of the view that the Bill as amended is unlikely to lead to unmanageable procedural complications.

(6) In the process of inquiring into a Bill, the committee must, where applicable, as far as possible apply the following separate formal stages:

(a) Informal discussion on the principles and subject of the Bill, including —

(i) a briefing by the department concerned and, in the case of a member's Bill, by the member concerned, and

(ii) consideration of public comments that have been received;

(b) adoption of a motion of desirability, relating to whether the principles of the Bill and the need for the Bill are accepted;

(c) invitation for further public comment and submissions on the substance of the Bill, followed by the hearing and examination of such or other oral submissions if deemed necessary;

(d) deliberation by members, taking into consideration proposed amendments and comments and proposals received and evidence presented;

(e) formal consideration of the Bill, clause by clause, including amendments as formally proposed; and

(f) consideration and adoption of the committee's report and adoption of the final version of the Bill as it is to be presented to the Assembly.

287. Referral to Assembly committee if joint committee fails to report

(1) If a Bill has been referred to a joint committee in terms of Rule 283(3(c) or 284(1)(c) and that joint committee fails to present a report or fails to reach consensus on the Bill, the Speaker must refer the Bill and its annexures —

(a) to the portfolio committee within whose portfolio the subject of the Bill falls; or

(b) by resolution of the Assembly, to any other Assembly committee.

(2) The committee to which the Bill is referred must deal with the Bill in accordance with Rule 286.

288. Committee's report

(1) The Assembly committee to which a Bill is referred must table in the Assembly —

(a) its report;

(b) the Bill that has been agreed on by it, in its final amended or redrafted form as adopted by the committee where applicable, or, if it has not agreed on a Bill, the Bill as referred to it;

(c) the supporting memorandum which was introduced with the Bill or, if the memorandum has been amended by the committee, the amended memorandum; and

(d) if the Bill was introduced by a member in his or her individual capacity, the views, if any, expressed on the Bill by the relevant department in the national executive authority or executive organ of state in the national sphere of government.

(2) The committee may report to the Assembly only after the JTM has classified the Bill and has made its findings on the Bill.

(3) In its report the committee —

(a) must state the JTM's classification of and findings on the Bill;

(b) must state whether it recommends approval of the Bill with or without amendments, a redraft of the Bill, or rejection of the Bill;

(c) in the case of a Bill introduced by a member in his or her individual capacity, must state the views on the Bill submitted by the relevant executive authority;

(d) must specify each amendment if an amended Bill (other than a redraft of the Bill) was agreed on by it, and each amendment that was considered and, for a reason other than its being out of order, was rejected by it;

(e) must specify each amendment rejected by the committee if a redrafted Bill was agreed on by it;

(f) must, if it is not a unanimous report—

(i) specify in which respects and why there was not consensus, and

(ii) in addition to the views representative of the majority in the committee, convey any views of a minority in the committee in order to facilitate debate when the report comes before the House;

(g) may specify such details or information about its inquiry and any representations or evidence received or taken by it as it may consider necessary for the purposes of the debate on the Bill;

(h) may report on any matter arising from its deliberations on the Bill but which is not necessarily related to the Bill; and

(i) may recommend to the Assembly that any matter contained in the report be placed on the Order Paper for separate consideration either before or after the Assembly considers the Bill.

289. Explanation of report

The chairperson or other member of the committee who tables the report in the Assembly on behalf of the committee, may, if the committee has so recommended in its report, address the Assembly in order to explain the report.

290. Second Reading

(1) All Bills placed on the Order Paper for Second Reading must be debated, unless the Programme Committee notwithstanding Rule 210 by consensus decides otherwise in respect of a particular Bill.

(2) (a) If a Bill has been referred to an Assembly or joint committee, the debate on the Second Reading of the Bill may not commence before at least three working days have elapsed —

(i) since the committee's report was tabled, or

(ii) if a committee member has addressed the Assembly in terms of Rule 289, since the address was delivered.

(b) If a Bill introduced by a committee has not been referred to a joint committee in terms of Rule 283(5), the debate on the Second Reading of the Bill may not commence before at least three Assembly working days have elapsed since the Bill was introduced.

(3) (a) The debate on the Second Reading of a Bill must be conducted on the subject of the Bill.

(b) The debate on the Second Reading of a Bill that amends legislation must be conducted on the subject of the proposed amendments.

(4) No motion may be moved during the debate.

(5) The Assembly passes a Bill if it approves the Second Reading of the Bill in accordance with Sections 53(1)(a) and (c) of the Constitution, except that the Second Reading of —

(a) a constitution amendment Bill must be approved in accordance with Rule 299(2) or (3); and

(b) a Bill determining the seat of Parliament must be approved in accordance with Section 76(5) of the Constitution.

(6) The Assembly rejects a Bill if it rejects the Second Reading of the Bill or, subject to Rule 331, fails to approve the Second Reading with the appropriate majority.

291. Amendments proposed by members before decision of Second Reading

(1) (a) After a Bill has been placed on the Order Paper for Second Reading but before the Assembly decides on the Second Reading, a member may, subject to Subrule (4), place amendments to clauses of the Bill on the Order Paper.

(b) A Bill that has been rejected by the committee which considered it may not be amended under this rule.

(2) Amendments delivered to the Speaker after 12:00 on any working day may be placed on the Order Paper for the second sitting day thereafter and not earlier, unless the Speaker determines otherwise in a particular case.

(3) (a) The following amendments are out of order and may not be proposed under this rule:

(i) Amendments that affect the principle of the Bill and in respect of which the Assembly has not given any instruction,

(ii) amendments that change the classification of the Bill, except as provided for in Joint Rule 163,

(iii) amendments that would render the Bill constitutionally or procedurally out of order within the meaning of Joint Rule 161, and

(iv) amendments that are out of order for any other reason.

(b) The Speaker's ruling on whether an amendment is out of order or in order, is final, provided that if the JTM has made a finding on the substance of the amendment, the Speaker is bound by the finding.

(4) No amendment which has the same effect as an amendment previously rejected in the committee may be placed on the Order Paper, except when it is a Bill of which a Cabinet member or Deputy Minister is in charge and that Cabinet member or Deputy Minister places such an amendment on the Order Paper.

(5) If an amendment has been placed on the Order Paper and the debate on the Second Reading has been concluded, the Speaker may either —

(a) recommit the Bill for reconsideration to the committee which considered the Bill or, if it is a Bill introduced by an Assembly committee, to that committee, together with the amendment; or

(b) put the amendment for decision by the Assembly and then the Second Reading of the Bill as a whole, including any approved amendment.

(6) An Assembly committee to which a Bill is recommitted must deal with the Bill in terms of Rule 292.

(7) A Bill may not be recommitted to a committee more than once in terms of this rule.

292. Referral of amendments proposed in Assembly to Assembly committee

(1) If a Bill is recommitted in terms of Rule 291(5) to an Assembly committee, the committee —

(a) may consider only those clauses of the Bill in respect of which amendments have been placed on the Order Paper and any consequential amendments that have to be effected;

(b) may consult the JTM on whether any of the amendments —

(i) affects the JTM's classification of the Bill, or

(ii) renders the Bill constitutionally or procedurally out of order within the meaning of Joint Rule 161;

(c) must mention in its report each amendment agreed on by the committee;

(d) must specify in the report each amendment placed on the Order Paper by the person in charge of the Bill but rejected by the committee;

(e) may not agree on any amendment that —

(i) changes the classification of the Bill, except as provided for in Subrule (3) or Joint Rule 163, or

(ii) renders the Bill constitutionally or procedurally out of order within the meaning of Joint Rule 161; and

(f) must table its report together with the Bill in the Assembly.

(2) Subrule (1)(d) applies only if the person in charge of the Bill is a Cabinet member or a Deputy Minister.

(3) The committee may agree on an amendment that changes the classification of a Section 75 to a Section 76 Bill, or a Section 76 to a Section 75 Bill, but only if the JTM is of the view that the Bill as amended is unlikely to lead to unmanageable procedural complications.

293. Referral to Assembly committee if joint committee fails to report

(1) If a Bill is recommitted to a joint committee in terms of Rule 291(5), and that joint committee fails to present a report or fails to reach consensus on any amendments, the Speaker must refer the Bill and its annexures —

(a) to the portfolio committee within whose portfolio the subject of the Bill falls; or

(b) by resolution of the Assembly, to any other Assembly committee.

(2) The committee to which the Bill is referred must deal with the Bill in terms of Rule 286.

294. Consideration of report of Assembly committee or joint committee

(1) The report of the Assembly committee or joint committee to which a Bill has been recommitted or referred must be placed on the Order Paper for consideration of —

(a) the amendments agreed on by the committee; and

(b) any amendment specified in the report in terms of Rule 292(1(d) or Joint Rule 170(1)(d) and which is moved in the Assembly, which motion may be moved without notice.

(2) Before the Assembly decides on the Second Reading of the Bill, the Speaker must put the amendment or amendments to the vote.

Part 4: Specific rules applicable to constitution amendment Bills

Specific rules relating to matters in Parts 1 and 2

295. Requirements prior to introduction of constitution amendment Bill

(1) A Cabinet member or a Deputy Minister, or a member or committee of the Assembly, intending to introduce a Bill amending the Constitution must, before introducing the Bill, comply with Section 74(5) of the Constitution.

(2) When the person or committee intending to introduce the Bill publishes particulars of the Bill in the Gazette in accordance with Section 74(5), the publication must contain —

(a) a notice stating the intention to introduce the Bill; and

(b) an invitation to interested persons and institutions to submit written representations on the draft constitutional amendment to the person or committee intending to introduce the Bill.

(3) If the draft Bill itself, as it is to be introduced, is published, a memorandum setting out the objects of the Bill must also be published.

296. Notice withdrawing proposed constitutional amendment

(1) If a Cabinet member, Deputy Minister, committee or member decides not to proceed with the introduction of a Bill after Rule 295 has been complied with, the Cabinet member, Deputy Minister, committee or member must without delay inform the Speaker in writing of the decision.

(2) The Cabinet member or Deputy Minister referred to in Subrule (1) must publish a notice in the Gazette stating that the proposed legislation has been withdrawn.

(3) The Speaker must publish a notice in the Gazette stating that the proposed legislation has been withdrawn where a committee or member decides not to proceed with the introduction of the Bill as contemplated in Subrule (1).

297. Introduction of constitution amendment Bill

(1) A Cabinet member or Deputy Minister or an Assembly member or committee introduces a constitution amendment Bill by submitting to the Speaker —

(a) a copy of the Bill, or if the Bill itself, as it is introduced, has been published in the Gazette to give effect to Section 74(5) of the Constitution, a copy of the Gazette;

(b) a supporting memorandum which must —

(i) state that the Bill is introduced as a constitution amendment Bill,

(ii) explain the objects of the proposed constitutional amendment,

(iii) give an account of the financial implications of the proposed constitutional amendment for the state,

(iv) contain a list of all persons and institutions that have been consulted in preparing the Bill,

(v) if the Bill is introduced by a Cabinet member or a Deputy Minister, include a legal opinion by a state law adviser, or a law adviser of the state department concerned, on the classification of the Bill and any other question in respect of which the JTM is required to make a finding in terms of Joint Rule 160, and

(vi) if the Bill is introduced by a committee or an Assembly member, include a legal opinion by a parliamentary

legal adviser on the classification of the Bill and any other question in respect of which the JTM is required to make a finding in terms of Joint Rule 160; and

(c) any written comments on the Bill envisaged in Section 74(6) of the Constitution.

(2) A constitution amendment Bill introduced by a Cabinet member or a Deputy Minister must contain on its cover page a reference to that Cabinet member or Deputy Minister as the person introducing the Bill.

(3) A constitution amendment Bill introduced by —

(a) an Assembly member in an individual capacity; or

(b) by an Assembly committee with the Assembly's permission in terms of Rule 273(3) —

(i) must be accompanied by a statement to that effect, and

(ii) contain a reference on its cover page to the name of the member or committee as the member or committee introducing the Bill.

298. Referral of constitution amendment Bill to committee

(1) If a constitution amendment Bill is in terms of Section 74 of the Constitution required to be passed by the Assembly alone, the Bill may in terms of Rule 283(3) or 284(1) only be referred to an Assembly committee.

(2) If a constitution amendment Bill is in terms of Section 74 required to be passed by both Houses, the Bill must in terms of Rule 283(3) or 284(1) be referred either —

(a) to an Assembly committee; or

(b) if this is required by a decision in terms of Joint Rule 166, to a joint committee on constitutional matters.

299. Consideration of committee's report and Bill

(1) The Speaker must place the committee's report and the Bill presented to the Assembly in terms of Rule 288 or Joint Rule 168 on the Order Paper irrespective of whether the time period mentioned in Section 74(7) of the Constitution has expired, but the Assembly may not vote on the Second Reading of the Bill unless this time period has expired.

(2) A constitution amendment Bill is passed by the Assembly if its Second Reading —

(a) is put to the vote after the expiry of the time period mentioned in Section 74(7) of the Constitution; and

(b) receives a supporting vote of at least two thirds of the members of the Assembly or, if it is a Bill referred to in Section 74(1), a supporting vote of at least 75 per cent of the members.

(3) If the Bill, in addition to other constitutional amendments, contains amendments referred to in Section 74(1), the Second Reading of the Bill is approved if —

(a) the Bill as a whole is passed with a supporting vote of at least 75 per cent of the members; or

(b) the Bill, excluding the Section 74(1) amendments, is passed with a supporting vote of at least two thirds of the members and the Section 74(1) amendments are passed separately with a supporting vote of at least 75 per cent of the members.

(4) If a Bill mentioned in Subrule (3) is passed with a supporting vote of at least two thirds of the members, but the Section 74(1)(a) amendments fail to achieve 75 per cent support —

(a) the Speaker, after consulting the member in charge of the Bill, may refer the Bill to an Assembly committee to delete the Section 74(1) amendments and to table an amended Bill; or

(b) the person in charge of the Bill may withdraw the Bill if the Section 74 provisions are not severable.

(5) When the committee resubmits the Bill as amended, the Assembly votes on the amended Bill without debate.

300. Consequences of approval or rejection of Second Reading

(1) Joint Rule 173 applies if the Assembly approves the Second Reading of a constitution amendment Bill.

(2) A constitution amendment Bill lapses if the Assembly rejects the Second Reading of the Bill.

Reconsideration of constitution amendment Bill if amended by Council

301. Procedure if Council amends Bill

(1) If the Council has amended a constitution amendment Bill passed by the Assembly, the Speaker must —

(a) place the amended Bill on the Order Paper for debate and decision if the chairperson of the portfolio committee concerned or other relevant Assembly committee so requests; or

(b) refer the amended Bill to the portfolio committee concerned, or to any other appropriate Assembly committee, for a report and recommendations on the Council's amendments.

(2) If the amended Bill is referred to a committee, the committee —

(a) may consult with the appropriate Council committee or chairperson of that committee;

(b) must confine itself to the amendments effected by the Council;

(c) may consult the JTM on whether any of the Council's

amendments —

(i) changes the JTM's classification of the Bill, or

(ii) renders the Bill constitutionally or procedurally out of order within the meaning of Joint Rule 161;

(d) may not propose any amendments; and

(e) may state reasons if it does not support any of the Council's amendments.

(3) The committee must table its report and recommendations.

(4) When the report is tabled, the Speaker must place the Bill as amended by the Council on the Order Paper for debate and decision.

302. Debate and decision

(1) The debate in the Assembly on the amended Bill must be confined to —

(a) the matters dealt with in the committee's report, if there is a report; and

(b) the question whether the amended Bill should be passed or not.

(2) No member may place any amendments to the Bill on the Order Paper.

(3) If the Assembly passes the amended Bill in accordance with the procedure set out in Rules 299(2)(b) and (3) or (4), the Bill must be submitted to the President for assent.

(4) If the Assembly rejects the Bill or fails to pass it in accordance with the said procedure, read with Rule 331, the Bill must be referred to the Mediation Committee in terms of Joint Rule 177.

303. Process if mediation successful

(1) The Speaker must table a notice in the Assembly stating that the Assembly's version of the Bill has been agreed on by the Mediation Committee, if the Mediation Committee has agreed on the version of the Bill as originally passed by the Assembly before its rejection or amendment by the Council.

(2) The Speaker must place a Bill agreed on by the Mediation Committee on the Order Paper for debate and decision if that Bill is —

(a) the Council's amended Bill which the Assembly has rejected or has failed to pass as stated in Rule 302(4); or

(b) a version that differs from any version of the Bill as passed by either the Assembly or the Council.

(3) If, after consultation with the chief whips of the parties and the chairperson of the portfolio committee or other Assembly committee concerned, the Speaker is of the view that the Assembly debate on the Bill in terms of Subrule (2) may be facilitated by a report of the portfolio committee concerned or any other appropriate Assembly committee, the Speaker must first refer the Bill to the committee for a report before placing the Bill on the Order Paper.

(4) If the Bill is referred to a committee, the committee may —

(a) consult with the appropriate Council committee or the chairperson of that committee; and

(b) not propose any amendments to the Bill.

(5) The committee must table in the Assembly —

(a) the committee's report; and

(b) the version of the Bill as agreed on by the Mediation Committee.

(6) The debate in the Assembly on the Bill as agreed on by the Mediation Committee must be confined —

(a) to the matters dealt with in the committee's report, if the Bill was referred to a committee, or to the clauses of the Bill which differ from the clauses of the Bill as originally passed by the Assembly, if the Bill was not referred to a committee; and

(b) to the question whether the Bill as agreed on by the Mediation Committee should be passed.

(7) No amendments may be proposed to the Bill as agreed on by the Mediation Committee.

304. Consequences of unsuccessful mediation

A constitution amendment Bill lapses in terms of Joint Rule 180 if mediation is unsuccessful.

Part 5: Specific rules applicable to Section 75 Bills

305. Application of this part to money Bills

The rules set out in this part apply to all Section 75 Bills, as well as money Bills other than those dealt with in terms of the special procedure set out in Rule 322(2).

306. Consequences of approval or rejection of Second Reading

A Section 75 Bill —

(a) must be referred to the Council in terms of Joint Rule 181 if the Assembly approves the Second Reading of the Bill; or

(b) lapses if the Assembly rejects the Second Reading of the Bill.

Reconsideration of Section 75 Bills if Council rejects or passes subject to amendments

307. Referral of Bill to Assembly committee

(1) If the Council rejects a Section 75 Bill referred to it in terms of Joint Rule 181 or passes the Bill subject to amendments, the Speaker must refer the Bill and any amendments proposed by the Council to the portfolio committee concerned or to any other appropriate Assembly committee for —

(a) a report on the Council's rejection of the Bill or on the amendments proposed by the Council; and

(b) recommendations on whether the Bill should be passed again with or without any amendments, or whether it should not be proceeded with.

(2) The committee to which the Bill is referred —

(a) may consult with the appropriate Council committee or the chairperson of that committee;

(b) may not propose any amendment which is not strictly relevant either to the Council's rejection of the Bill or to the amendments proposed by it;

(c) may consult the JTM on whether any of the Council's amendment proposals or any amendments proposed in the committee —

(i) will change the JTM's classification of the Bill, or

(ii) will render the Bill constitutionally or procedurally out of order within the meaning of Joint Rule 161; and

(d) may not propose any amendment that would —

(i) change the classification of the Bill, or

(ii) render the Bill constitutionally or procedurally out of order within the meaning of Joint Rule 161.

308. Committee's report

(1) The committee to which the Bill is referred must table in the Assembly —

(a) the committee's report and recommendations;

(b) the Council's proposed amendments, if the Council has passed the Bill subject to amendments; and

(c) an amended Bill, if the committee, in view of the Council's rejection of the Bill or its amendment proposals, has agreed to amend the Bill previously passed by the Assembly.

(2) When the report is tabled, the Speaker must place the Bill on the Order Paper for debate and decision.

309. Debate and decision

(1) The debate in the Assembly on the committee's report and the Bill must be confined to —

(a) the matters dealt with in the report;

(b) the question whether the Bill should be proceeded with; and

(c) any amendments proposed either by the Council or the committee.

(2) No member may place any amendments to the Bill on the Order Paper.

(3) The Assembly may recommit the Bill or any amendment proposal to the committee for reconsideration and a further report and recommendation before it decides on the Bill.

(4) The Assembly may either —

(a) pass the original Bill again;

(b) pass any amended Bill proposed by the committee;

(c) pass the original Bill incorporating any amendments proposed by the committee or any amendments proposed by the Council which were rejected by the committee; or

(d) decide not to proceed with the Bill.

(5) If Subrule (4)(c) applies, the Assembly must first decide on each amendment proposal of the Council, then on each amendment proposal of the committee and then on the Bill as a whole, incorporating any amendment proposals agreed to by the Assembly.

(6) A Bill passed by the Assembly in accordance with this rule and Sections 53(1)(a) and (c) of the Constitution must be submitted to the President for assent.

(7) If the Assembly decides not to proceed with the Bill, the Bill lapses.

Part 6: Specific rules applicable to Section 76(1) Bills introduced in Assembly

310. Consequences of approval or rejection of Second Reading

A Section 76(1) Bill —

(a) must be referred to the Council in terms of Joint Rule 184(1) if the Assembly approves the Second Reading of the Bill; or

(b) lapses if the Assembly rejects the Second Reading of the Bill.

Reconsideration of Section 76(1) Bills if amended by Council

311. Bill to be placed on Order Paper or referred to portfolio committee

(1) If the Council amends a Bill referred to it in terms of Joint Rule 184(1), the Speaker must —

(a) place the Bill on the Order Paper for debate and decision if the chairperson of the portfolio committee concerned or other relevant Assembly committee so requests, provided that any debate must be confined to the Council's amendments; or

(b) submit the amended Bill to the portfolio committee concerned or any other appropriate Assembly committee for a report and recommendations on the Council's amendments.

(2) The committee to which the Council's amended Bill is referred —

(a) may consult the appropriate Council committee or the chairperson of that committee;

(b) may not propose any further amendments to the Bill; and

(c) may consult the JTM on whether any of the Council's amendments —

(i) changes the JTM's classification of the Bill, or

(ii) renders the Bill constitutionally or procedurally out of order within the meaning of Joint Rule 161.

312. Committee's report

(1) The committee to which the Council's amended Bill is referred must table in the Assembly —

(a) its report and recommendations; and

(b) the Council's amended Bill.

(2) When the report is tabled, the Speaker must place the report and the Council's amended Bill on the Order Paper for debate and decision.

313. Debate and decision

(1) The debate on the report and the Council's amended Bill must be confined to —

(a) the matters dealt with in the report; and

(b) the question whether the amended Bill should be passed or not.

(2) No amendments may be proposed to the Council's amended Bill.

(3) If the Assembly passes the Council's amended Bill in accordance with Sections 53(1)(a) and (c) of the Constitution, the Speaker must without delay submit the Bill to the President for assent.

(4) If the Assembly refuses to pass the Council's amended Bill, the Bill must be referred to the Mediation Committee in terms of Joint Rule 186.

Process after mediation

314. Process if mediation successful

(1) The Speaker must table a notice in the Assembly stating that the Assembly's version of the Bill has been agreed on by the Mediation Committee, if the Mediation Committee has agreed on the version of the Bill as originally passed by the Assembly before its rejection or amendment by the Council.

(2) The Speaker must place a Bill agreed on by the Mediation Committee on the Order Paper for debate and decision if that Bill is —

(a) the Council's amended Bill which the Assembly has refused to pass as stated in Rule 313(4); or

(b) a version that differs from any version of the Bill as passed by either the Assembly or the Council.

(3) If, after consultation with the chief whips of the parties and the chairperson of the portfolio committee or other Assembly committee concerned, the Speaker is of the view that the Assembly debate on the Bill in terms of Subrule (2) may be facilitated by a report of the portfolio committee concerned or any other appropriate Assembly committee, the Speaker must first refer the Bill to the committee for a report before placing the Bill on the Order Paper.

(4) If the Bill is referred to a committee, the committee may —

(a) consult with the appropriate Council committee or the chairperson of that committee; and

(b) may not propose any amendments to the Bill.

(5) The committee must table in the Assembly —

(a) the committee's report; and

(b) the version of the Bill as agreed on by the Mediation Committee.

(6) The debate in the Assembly on the Bill as agreed on by the Mediation Committee must be confined —

(a) to the matters dealt with in the committee's report, if the Bill was referred to a committee, or to the clauses of the Bill which differ from the clauses of the Bill as originally passed by the Assembly, if the Bill was not referred to a committee; and

(b) to the question whether the Bill as agreed on by the Mediation Committee should be passed.

(7) No amendments may be proposed to the Bill as agreed on by the Mediation Committee.

315. Process if mediation unsuccessful

(1) The Speaker, at the request of the person in charge of the Bill, must place the version of the Bill as originally passed by the Assembly before its rejection or amendment by the Council, on the Order Paper for debate and decision in terms of Section 76(1)(e), (i) or (j) of the Constitution if —

(a) the Mediation Committee is unable to agree within 30 days of the Bill's referral to it;

(b) the Assembly refuses to pass the version of the Bill agreed on by the Mediation Committee and considered by the Assembly in terms of Rule 314; or

(c) the Mediation Committee has agreed on the version of the Bill as originally passed by the Assembly, and the Council refuses to pass this version.

(2) If the Assembly passes a version of the Bill as described in Rule 314(2(b) and the Council refuses to pass this version of the Bill, the Speaker, at the request of the person in charge of the Bill, must place this version on the Order Paper for debate and decision in terms of Section 76(1)(i) of the Constitution.

(3) Unless the Assembly decides not to proceed with a Bill placed on the Order Paper in terms of Subrule (1) or (2), the Bill must be put to the vote and, if passed with a supporting vote of at least two thirds of the members, be submitted to the President for assent.

Part 7: Specific rules applicable to Section 76(2) Bills introduced in the Council

316. Powers of committee to which Bill is referred

If a Section 76(2) Bill as passed by the Council is referred to an Assembly committee in terms of Rule 283 or 284, the committee may —

(a) consult with the appropriate Council committee or the chairperson of that committee on the contents of the Bill and any amendments to the Bill that are being considered by the Assembly committee; and

(b) recommend that any time limit for the Assembly's consideration of the Bill be extended.

317. Consequences of approval or rejection of Second Reading

A Section 76(2) Bill must be referred to —

(a) the President in terms of Joint Rule 185(2)(a) if the Assembly approves the Second Reading of the Bill as passed by the Council;

(b) the Council in terms of Joint Rule 185(2)(b) if the Assembly amends the Bill as passed by the Council; or

(c) the Mediation Committee in terms of Joint Rule 186(2)(a) if the Assembly rejects the Second Reading of the Bill as passed by the Council.

Process after mediation

318. Process if mediation successful

(1) The Speaker must table a notice in the Assembly stating that the Assembly's version has been agreed on by the Mediation Committee

if the Mediation Committee has agreed on the Bill as amended by the Assembly and as referred to the Council in terms of Rule 317(b).

(2) The Speaker must place a Bill agreed on by the Mediation Committee on the Order Paper for debate and decision if that Bill is —

(a) the version as passed by the Council and which the Assembly has either amended or rejected as stated in Rule 317(b) or (c); or

(b) a version that differs from any version of the Bill as passed by either the Assembly or the Council.

(3) If, after consultation with the chief whips of the parties and the chairperson of the portfolio committee or other Assembly committee concerned, the Speaker is of the view that the Assembly debate on the Bill in terms of Subrule (2) may be facilitated by a report of the portfolio committee concerned or any other appropriate Assembly committee, the Speaker must first refer the Bill to the committee for a report before placing the Bill on the Order Paper.

(4) If the Bill is referred to a committee, the committee may —

(a) consult with the appropriate Council committee or the chairperson of that committee; and

(b) not propose any amendments to the Bill.

(5) The committee must table in the Assembly —

(a) the committee's report; and

(b) the version of the Bill as agreed on by the Mediation Committee.

(6) The debate in the Assembly on the Bill agreed on by the Mediation Committee must be confined —

(a) to the matters dealt with in the committee's report, if the Bill was referred to a committee; and

(b) to the question whether the Bill as agreed on by the Mediation Committee should be passed.

319. Consequences of unsuccessful mediation

A Section 76(2) Bill lapses in terms of Joint Rule 190 if mediation is unsuccessful.[2]

Part 8: Specific rules applicable to money Bills

320. Contents of money Bills

In terms of Section 77(1) of the Constitution a money Bill may not deal with any other matter except a subordinate matter incidental to the appropriation of money or the imposition of taxes, levies or duties.

321. Introduction of money Bills

(1) Only the Cabinet member responsible for national financial matters may introduce a money Bill.

(2) The responsible Minister must introduce a money Bill by following either the ordinary procedure set out in Rule 279 or the special procedure set out in Rule 322(2), but if it is a Bill appropriating money for the ordinary annual services of the government or imposing taxes, levies or duties for this purpose, the special procedure must be followed; provided that the Minister consults the Speaker when exercising a choice in terms of this rule.

2. If mediation between the Houses on a Section 76(1) Bill fails, the Bill can still be passed if the Assembly can muster a two-thirds majority. This deadlock-breaking mechanism is not available when the Bill is a Section 76(2) Bill, i.e. where the Bill has been introduced in the Council. In terms of the Constitution, a Section 76(2) Bill lapses if mediation fails.

322. Procedure applicable to money Bills

(1) If the ordinary procedure is followed, the Bill in all respects must be dealt with in the Assembly as if it were an ordinary Section 75 Bill, subject to any legislation envisaged in Section 77(2) of the Constitution.

(2) If the special procedure is followed, Parts 2, 3 and 4 of this chapter do not apply and the Bill must be dealt with in the Assembly in accordance with the following specific rules.

323. Special introductory procedure

(1) The Minister in charge of the Bill must deliver an introductory speech in the Assembly on the appointed day.

(2) After having delivered the introductory speech, the Minister must introduce the Bill by tabling it and any accompanying schedule and papers in the Assembly.

324. Bill placed on Order Paper for First Reading

(1) After introduction of the Bill in terms of Rule 323, the Speaker must place the Bill on the Order Paper for First Reading.

(2) The First Reading of the Bill may be considered only after the report of the committee to which it was referred in terms of Rule 325 has been presented to the Assembly.

(3) If the Assembly rejects the First Reading of the Bill, it rejects the Bill.

325. Referral of Bill to Assembly committee

(1) On the day on which the Bill is introduced, the Speaker must, unless legislation provides otherwise, refer the Bill, and any accompanying schedule and papers and the Minister's introductory speech to the committee on public finance for consideration and report.

(2) The committee may confer with the corresponding committee of the Council.

(3) The committee must —

(a) conduct joint public hearings with the corresponding committee of the Council on the fiscal framework and revenue proposals if submitted with the Bill as is required in Section 8(2) of the Money Bills Amendment Procedure and Related Matters Act, 2009; and

(b) report on the fiscal framework and revenue proposals if submitted with the Bill within 16 days after the tabling of the framework and proposals.

(4) Unless legislation provides otherwise, no amendment to a Bill or any accompanying schedule or papers may be moved while the committee is considering the Bill, schedule and papers.

326. Consideration of schedule to appropriation Bill

When the First Reading of an appropriation Bill which has a schedule has been approved, the votes in the schedule must be discussed.

327. Supplementary estimates in main appropriation Bill

When the debate on the schedule to a main appropriation Bill has been concluded, those votes in respect of which supplementary amounts are to be requested, must be placed on the Order Paper for discussion.

328. Approval of votes and schedule

The Assembly must first decide on the separate votes in the schedule to an appropriation Bill (in the case of a main appropriation Bill, when the debate on supplementary amounts has been concluded) and thereafter on the schedule.

329. Second Reading of money Bill

(1) When the schedule to an appropriation Bill has been approved, the Bill must be placed on the Order Paper for Second Reading.

(2) When the First Reading of a money Bill which has no schedule has been approved, the Bill must be placed on the Order Paper for Second Reading.

330. Money Bill rejected or passed subject to amendments by Council

(1) If a money Bill that has been rejected, or passed subject to amendments, by the Council is referred back to the Assembly for reconsideration in terms of Section 75(1)(c) of the Constitution, the Bill may be given precedence over other orders of the day on the day on which it is received from the Council, and a motion to that effect may be moved without prior notice by the Minister in charge of the Bill.

(2) The Assembly must consider any amendments proposed by the Council and no further amendments may be considered unless moved as permitted by the Money Bills Amendment Procedure and Related Matters Act, 2009 by the Minister in charge of the Bill, who may do so without prior notice.

(3) The debate on the reconsideration of the Bill, including the consideration of any amendment, may not continue for more than one hour, excluding the reply of the Minister in charge of the Bill, during which time a member may be restricted to one speech not exceeding

five minutes in duration, except the Minister, who may be allowed more than one such speech.

Part 9: General

331. Second vote on Bill rejected through absence of members

(1) Should a Bill that requires a special majority in the Assembly fail to obtain the required majority when the Bill is put to the vote, the Speaker may, within seven working days after the vote was taken, put the Bill to the vote again, but only if the Chief Whip and the most senior whip of one or more parties which together with the majority party command at least the required majority in the Assembly —

(a) request such a second vote; and

(b) persuade the Speaker that the Bill failed to obtain the required majority because of the absence of party members.

(2) The Bill is considered as having been rejected if it again fails to obtain the required majority.

332. Same Bill may not be introduced more than once

When a Bill has been passed or has been rejected during a session in any year, no Bill of the same substance may be introduced in the Assembly in that year except by leave of the Assembly or where otherwise provided in these rules.

333. Lapsing of Bills on last sitting day of annual session or term of Assembly or when Assembly is dissolved

(1) All Bills introduced in the Assembly and which on the last sitting day of a session of the Assembly appear on the Order Paper for First or Second Reading, lapse at the end of that day unless the Assembly decides otherwise.

(2) All Bills before the Assembly or any Assembly committee on the last sitting day of a term of the Assembly or when the Assembly is dissolved, lapse at the end of that day.

334. Withdrawal of Bill

The person in charge of a Bill introduced in the Assembly may withdraw the Bill at any time before the Second Reading of the Bill is decided.

335. Discrepancies in versions of Bill

(1) If any discrepancy in meaning is found between the versions of any Bill in the different official languages after such Bill has been passed by the Assembly but before it is presented to the President for assent, the Speaker must report such discrepancy to the Assembly.

(2) If the Assembly agrees to an amendment referred to in Subrule (1), the Assembly must be regarded as having agreed to the Second Reading of the Bill as amended.

CHAPTER 14

PROCESS FOR WRITTEN INSTRUMENTS OTHER THAN LEGISLATION

Part 1: General

336. Application

This chapter applies to all written instruments received by the Assembly, other than draft legislation, that have to be formally dealt with in the parliamentary process.

337. Tabling of written instruments in the Assembly

The Speaker must table the following instruments without delay, or if the Assembly is in recess, on its first day when the Assembly resumes its sittings:

(a) all reports and other written instruments submitted by a member of the national executive or in terms of legislation for tabling in the Assembly;

(b) all requests, applications and other written submissions made to the Assembly in terms of legislation to activate a parliamentary process prescribed by such legislation;

(c) all international agreements submitted to the Assembly in terms of Section 231 of the Constitution;

(d) all special petitions and other petitions of a general nature; and

(e) any other written instrument required to be tabled in terms of these rules.

338. Referral of written instruments to committees

(1) Except where these rules or the Joint Rules provide otherwise in a specific case, the Speaker must without delay refer to an appropriate committee —

(a) all written instruments tabled or that must be tabled in the Assembly in terms of Rule 337;

(b) all reports and other written instruments tabled in the Assembly by a member of the national executive; and

(c) any other instrument that must in terms of these rules or the Joint Rules be referred to a committee.

(2) If there is doubt as to which committee is the appropriate committee, the Speaker, in consultation with the Chief Whip, must decide the issue subject to these rules and any directives of the Rules Committee or a resolution of the Assembly.

(3) If a matter is referred to two or more committees, the referral may be accompanied by an instruction —

(a) whether the committees must confer; and

(b) which of them must report, if a report is required, or whether they must report jointly.

(4) When referring a written instrument to a committee or committees, the Speaker may, where appropriate, direct that a report thereon be submitted to the House within a specified timeframe.

339. Consideration of matter by committees

A committee must deal with an instrument referred to it in terms of Rule 338 in accordance with any applicable procedures prescribed by these rules or the Joint Rules.

340. Reporting by committees

(1) A committee must report on a matter referred to it if —

(a) required by a provision of these rules or the Joint Rules; or

(b) the Speaker so instructs.

(2) If a committee is not required in terms of Subrule (1) to report on a matter referred to it, it may nevertheless submit such a report if it so desires.

(3) A committee must report on any written instrument referred to it in accordance with Rule 166.

Part 2: International agreements

341. Submission to Parliament for approval

(1) When the Assembly's approval is to be sought for an international agreement in terms of Section 231(2) of the Constitution, a copy of the agreement must be submitted to the Speaker together with an explanatory memorandum.

(2) The explanatory memorandum must —

(a) briefly set out the history, objectives and implications of the agreement;

(b) include a legal opinion by a state law adviser as to whether the agreement is consistent with the domestic law of the Republic, including the Constitution, with the international obligations of the Republic and with international law in general;

(c) state whether the agreement contains any self-executing provision that will become law in the Republic in terms of Section 231(4) of the Constitution upon the approval of the agreement by Parliament;

(d) give an account of the projected financial and other costs of the agreement for the state; and

(e) contain all other information needed by the Assembly in order to take an informed decision.

342. Tabling and referral to committee

(1) The Speaker must —

(a) table the agreement and explanatory memorandum in the Assembly; and

(b) refer the matter for consideration and report —

(i) to the portfolio committee under which the subject of the agreement falls, or

(ii) by resolution of the Assembly to any other Assembly committee.

(2) The committee —

(a) must enquire into the subject of the agreement with a view to recommending approval or rejection of the agreement;

(b) may, or if ordered by the Speaker must, consult the portfolio committee responsible for overseeing international relations and any other Assembly committee that has a direct interest in the substance of the agreement; and

(c) must report to the Assembly in accordance with Rule 166.

(3) In its report the committee must state whether it recommends approval or rejection of the agreement.

(4) The committee's report must be placed on the Order Paper for decision.

343. Submission to Parliament for information

An international agreement of a technical, administrative or executive nature, or an agreement which does not require either ratification or accession, and which must be tabled in the Assembly in terms of Section 231(3) of the Constitution, must be referred by the Speaker for information —

(a) to the portfolio committee under which the subject of the agreement falls; or

(b) by resolution of the Assembly to any other Assembly committee.

Part 3: Petitions

344. Form of petitions

Petitions must be in the form prescribed by the Speaker in accordance with guidelines determined by the Rules Committee.

345. Language of petitions

A petition must be in one of the official languages.

346. Signing of petitions

(1) Unless the Speaker decides otherwise, every petition must be signed by the petitioners themselves.

(2) Persons unable to write must make their marks on the petition in the presence of two witnesses, who must sign the petition in that capacity.

347. Lodging

(1) A petition must be lodged by a member with the Secretary for approval and tabling by the Speaker, and must be signed at the beginning thereof by the member.

(2) A member may not lodge a petition on his or her own behalf, but such a petition may be lodged by another member.

348. Approval by Speaker

Each petition must be deposited for at least one day with the Secretary, who must submit it to the Speaker for approval before it is tabled in the Assembly.

349. Tabling

If a petition complies with these rules and the guidelines determined by the Rules Committee, the Speaker must approve it and table it in the Assembly without delay.

350. Referral of petitions to committees

After tabling a petition in the Assembly, the Speaker must —

(a) if it is a special petition, refer the petition to the committee on public finance; or

(b) if it is a petition of a general nature, refer the petition to the relevant portfolio committee or other appropriate committee.

CHAPTER 15

MISCELLANEOUS

Part 1: Lapsing of business before Assembly

351. Lapsing of business on last sitting day of annual session or term of Assembly or when Assembly is dissolved

(1) All motions and all other business, other than Bills, on the Order Paper on the last sitting day of an annual session of the Assembly, lapse at the end of that day.

(2) All business before the Assembly or any Assembly committee on the last sitting day of a term of the Assembly or when the Assembly is dissolved, lapse at the end of that day.

Part 2: Executive government

352. Communication of appointment of Cabinet members and Deputy Ministers and their assigned powers and functions

(1) The Leader of Government Business must inform the Speaker in writing without delay of —

(a) the appointment by the President of the Deputy President, other Cabinet members and Deputy Ministers in terms of Sections 91 and 93 of the Constitution when such appointments are made or changed; and

(b) the details of the powers and functions formally assigned, or delegated, to each at the time of appointment or subsequently.

(2) Upon receipt of a communication in terms of Subrule (1), the Speaker must table it without delay.

353. Resolutions affecting executive government

(1) Resolutions of the House affecting the executive government must be communicated to the President of the Republic or other relevant executive authority and to the Leader of Government Business by the Speaker.

(2) The Secretary must send a copy of the Speaker's letter to the Director-General in The Presidency.

354. Consent in respect of state-owned land or property

The House may not proceed upon any Bill, motion or proposal affecting state-owned land or property[3] and of which a member other than a Minister is in charge, unless the President of the Republic has given his or her consent that, as far as the state's interests are concerned, the House may take such decision in regard thereto as it thinks fit.

Part 3: Abuse of Privilege

355. Abuse of privilege

(1) The Assembly may make a finding that a breach or abuse of the privilege provided for in Sections 45(2) and 58 of the Constitution, or as set out in Rule 63 of these rules, is contempt of Parliament as envisaged by Section 13(d) of the Powers and Privileges Act, in accordance with Subrule (2).

(2) The Assembly may make a finding in terms of Subrule (1) only if the Powers and Privileges Committee has decided that a specified act constitutes contempt of Parliament and has reported accordingly to the House.

3. See State Land Disposal Act, 1961.

356. Fines

The amount of a fine that can be imposed under the Powers and Privileges Act for each of the offences mentioned therein, and for each offence referred to in these rules or any resolution of the Assembly, must be determined in every case by a resolution of the Assembly, but such fine may not exceed the amounts provided in the Act.

357. Recovery of fines

All fines must be recovered by the Secretary and paid into Parliament's bank account.

358. Fines remitted

A fine or portion thereof may be remitted by resolution of the Assembly.

359. Request to have response recorded by persons other than members

The Secretary must refer to the Speaker any written request to have a response recorded by a person, other than a member, regarding a statement or remark made by an Assembly member, a Cabinet member or a witness in or before the Assembly, a committee or other forum of the Assembly, or in or before a joint sitting of the Houses or a joint committee.

Part 4: Witnesses

360. Summonsing of witnesses

Any person may be summonsed to appear before the House or a

committee or other forum of the House in accordance with Sections 14 to 17 of the Powers and Privileges Act and these rules.

361. Attendance of witnesses detained in prison

If a witness, whose attendance before the House or a committee or other forum thereof is required, is being detained in any prison, the person in charge of such prison may be ordered to bring the witness in safe custody for examination as often as his or her attendance is deemed necessary, and on the instruction of the Speaker the Secretary may issue his or her warrant accordingly.

Part 5: Office of Secretary and records of the Assembly

362. Records of National Assembly

The records of the National Assembly include —

(a) the Journals of the National Assembly;

(b) the Official Report of the Debates of the National Assembly (Hansard);

(c) the Order Paper, Question Paper and other papers produced under the authority of the House or the Speaker;

(d) documents officially before, or emanating from, a committee or subcommittee or other forum, excluding internally produced preliminary working drafts;

(e) papers tabled in the National Assembly; and

(f) official correspondence.

363. Minutes of Proceedings of National Assembly

The Minutes of Proceedings of the National Assembly and mini-plenary sessions must be recorded by the Secretary and, after having been perused by the Speaker, must be signed by the Secretary, printed and supplied to members.

364. Journals of National Assembly

The Journals of the National Assembly comprise —

(a) the official minutes of the House and its committees and other forums, including the document entitled Announcements, Tablings and Committee Reports; and

(b) any transcripts and recordings made by order of the House or any of its committees or other forums.

365. Custody of papers

The Secretary has custody of all records and other papers of the National Assembly, and he or she may neither remove nor permit to be removed any such records or other papers beyond the precincts of this House without the leave of the Speaker.

366. Access to tabled papers

Tabled papers are open to all members and to the public, unless otherwise ordered by the Speaker or by resolution of the House in respect of a particular paper, or part thereof, and subject to Rule 189 in respect of papers officially before or emanating from a committee or subcommittee or other forum.

367. General duties of Secretary

The Secretary is responsible for the regulation of all matters connected with the business of the National Assembly, subject to such directions as he or she may receive from the Speaker or the House.

SCHEDULE

PROCEDURE TO BE FOLLOWED IN THE INVESTIGATION AND DETERMINATION OF ALLEGATIONS OF MISCONDUCT AND CONTEMPT OF PARLIAMENT

Notification to member

1. A member charged with misconduct or contempt must receive written notice of all allegations and charges against him or her. The notification must be delivered to the member at least five working days before the hearing. The notice must also clearly indicate the date, time and venue of the hearing, that the member is entitled to be assisted by a fellow member and that the member may request the committee to allow legal representation by a person who is not a member.

2. If it is not possible to serve the notice personally on the member, the Sheriff may be requested to serve such notice.

Outside legal representation

3. In complex cases or cases involving complicated evidence or legal issues, and where the committee is of the view that such legal representation might be essential for a fair hearing, the committee may allow the member charged to be represented by a legal practitioner who is not a member.

Explanation by member

4. If the member wishes to give an explanation after receiving the notice, he or she may do so either verbally or in writing. Such explanation may also be presented at the hearing.

Initiator

5. The committee must nominate a member or a person who is duly qualified, but who is not a member of the committee, to act as the initiator for the duration of the hearing. The initiator presents the evidence regarding the allegations and may cross-examine the member and any witness giving evidence on behalf of the member. At the conclusion of the hearing, the initiator may address the committee on the evidence presented before it and may also propose a penalty to be recommended by the committee in its report.

Plea to charge

6. The initiator must put the charge(s) to the member and the chairperson must request the member to plead to the charge(s). If the member so wishes, he or she can also give a plea explanation. If the member refuses to enter a plea, the chairperson must enter a plea of not guilty.

Hearing

7. The member has a right to be present at the hearing. The committee, initiator and the member may call witnesses and these witnesses may be questioned by the chairperson, initiator, the member or the legal representative, either directly or through the fellow member. Members of the committee may also put questions to the member, but only through the chairperson or with the permission of the chairperson. After all the witnesses have been called, the member or fellow member may sum up the evidence and make a presentation to the committee.

8. If after receiving the notice the member fails, without just cause, to attend the hearing, the committee may proceed in the absence of the member.

Penalty

9. If the committee finds the member guilty of misconduct or contempt, the member, fellow member or legal representative must be given an opportunity to present mitigating factors to the committee before the committee reports to the House. Such representation may be verbal or in writing. The initiator may also address the committee on aggravating or other factors.

Suspension of member

10. In order to facilitate an investigation in terms of Section 12 of the Act against a member in circumstances where there is a possibility that the member may interfere with evidence or witnesses or in circumstances where the allegations are of a very serious nature, the Speaker may request the House to suspend the member. Such suspension may be with or without remuneration and may not be for longer than 14 days. A member who has been suspended must leave the parliamentary precincts, and may not, during the period of suspension, without the permission of the Speaker –

    (a) enter the precincts for whatever purpose; or

    (b) participate in any activity of Parliament or any committee.

11. Before the Speaker requests the House to suspend the member, the member must be informed in writing of the request and must be afforded an opportunity to give reasons within a reasonable period why he or she should not be suspended.

12. After the House has resolved to suspend the member, the Speaker must inform the member in writing of the suspension and the period of its operation prior to it taking effect.

APPENDIX A

POLICY FOR ATTENDANCE OF MEMBERS OF PARLIAMENT DURING PLENARY AND MEETINGS OF PARLIAMENTARY COMMITTEES AND FORUMS

(As agreed to by the Joint Rules Committee on 5 March 2014)

(RULES 35 TO 40)

1. Definitions

In this policy, unless the context indicates otherwise —

"Assembly" means the National Assembly;

"attendance" refers to the presence of a member at a plenary, extended public committee, sectoral parliament, a meeting of a parliamentary committee, a recognised parliamentary forum or on an approved oversight activity;

"Council" means the National Council of Provinces;

"Chief Whip" means the Chief Whip of the Majority Party in the National Assembly;

"Chief Whip of the Council" refers to the Chief Whip of the NCOP, as elected in terms of Rule 21(1) of the rules of the NCOP or acting in that capacity;

"committee" refers to all committees of the Assembly and the Council, joint committees, ad hoc committees, standing committees, multiparty whips' forums and their task teams, provincial whips' forum, internal committees and recognised parliamentary forums;

"Family member" refers to a relative by blood, marriage, adoption, fostering, traditional kinship or a life partner (including guardian, grandparent and in-laws) of a member or a person who stands in a bona fide domestic or household relationship with the member, including situations in which some dependency or support role for the member is implied;

"Formal institution of education or training" is an institution registered or accredited with the Department of Education, Council on Higher Education or the South African Qualifications Authority (SAQA);

"member" with reference to —

(a) the Assembly, means a member of the Assembly; and

(b) the Council, means a permanent delegate to the Council.

For the purposes of this policy, the term "member" excludes members of the Cabinet and Deputy Ministers and special delegates of the Council, members of provincial legislatures and representatives of Salga;

"parliamentary business or work" refers to parliamentary activities sanctioned in terms of the Constitution, the programme of Parliament, an instruction of the Presiding Officers or a decision of a House or its committees or party work sanctioned by the political party or a member and which is related to the work of Parliament;

"party whip" refers to a member appointed by his or her party or recognised as such;

"party leader" refers to a member appointed by his or her party or recognised as such;

"party work" refers to activities sanctioned by the political party of a member;

"private business" refers to any work done, either for remuneration or not, by a member that does not relate to his or her responsibilities as a member but excludes political party work;

"primary caregiver" in the context of this policy refers to a spouse or life partner who takes primary responsibility for an adopted child under the age of two years or a child born from a surrogacy agreement;

"provincial whip" refers to a member designated in terms of Rule 173(1)(c) of the NCOP;

"recess" with reference to —

(a) a House, means a period determined as a recess by the Programme Committee of the House, or by resolution of the House, during which the business of the House is interrupted; or

(b) both Houses, means a period determined as a recess by the Joint Programme Committee, or by resolutions adopted in the Houses, during which the business of both Houses is interrupted;

"session" refers to periods that the Assembly or Council are convened for plenary and periods set aside for meetings of parliamentary committees and forums, as well as formal oversight activities of Parliament or its committees and forums, in terms of the programme of a House or the joint programme of Parliament;

"sitting day" refers to a day on which the Assembly or the Council sits in plenary and includes committee meetings;

"spouse" means a spouse or partner in a marriage or civil union partnership in accordance with the Marriage Act, 1961 (Act No 25 of 1961), Recognition of Customary Marriages Act, 1998 (Act No 120 of 1998) or the Civil Union Act, 2006 (Act No 17 of 2006);

"three-line whip" refers to instructions issued by the chief whip of a political party or his or her representative or instructions issued by the Chief Whip of the Council to attend to the business of the House, including plenary sessions and meetings of committees;

"working day" in terms of parliamentary work means any day of the week except —

(a) Saturday and Sunday; and

(b) a public holiday in terms of the Public Holidays Act, 1994 (Act 36 of 1994), and, if such a public holiday falls on a Sunday, also the Monday.

2. Rationale for policy and minimum standards for attendance

(1) Section 47(3)(b) of the Constitution provides that a person loses membership of the Assembly if that person is "...absent from the Assembly without permission in circumstances for which the rules and orders of the Assembly prescribe loss of membership". Section 62(4)(e) of the Constitution provides that a person ceases to be a member if that person "is absent from the National Council of Provinces without permission in circumstances for which the rules and orders of the Council prescribe loss of office as a permanent delegate.

(2) Rules 35 to 40 of the Assembly rules provides for instances where a member wants to be absent from sittings of the House or its committees for 15 or more consecutive sitting days, i.e. a member will need the Assembly's or committee's approval. It does not, however, provide for loss of membership or punitive measures should such approval not be sought or granted.

[See updated measures in Part 3 of Chapter 3 of Rules of the National Assembly]

(3) In terms of Rule 25 of the Council a person ceases to be a Permanent

Delegate of the Council if that person is voluntarily and without leave absent from the Council for 15 consecutive sitting days. Furthermore, a Permanent Delegate seeking leave to be absent from the Council for 15 or more consecutive sitting days must apply for such leave from the Council.

(4) The Remuneration of Public Office Bearers Act, 1998 provides in Section 3(5) that the payment of salaries and allowances of members "...is subject to the rules and orders of the National Assembly and the National Council of Provinces". The Act therefore provides a legal basis for which deductions from members' salaries for unauthorised absences from parliamentary work may be made to the extent that relevant rules are in place.

(5) It is accepted that political parties are responsible for managing members' leave and that a member's absence from Parliament should be controlled by the political party which the member represents. However, each member has a dual responsibility – towards their political party and towards Parliament as an institution.

(6) While it is emphasised that plenary sittings and committee meetings are the first priority of members, the nature of their duties is such that it is essential that members are entitled to be away from Parliament, with permission, to attend to their responsibilities to voters, their constituency, their party, interest groups and to represent Parliament at workshops, seminars and on local and overseas visits.

(7) The multiplicity of activities in which members are engaged makes it necessary for a simple yet effective policy to control the attendance of members when Parliament is in session. This policy would therefore apply during parliamentary sessions and any official activity, but not to recess periods for which holiday leave would be applicable.

(8) This policy will not apply to instances where a House has, by resolution, imposed a sanction on a member in terms of the suspension of the member's privileges and right to a seat in parliamentary debates or committees.

(9) While in the National Assembly political parties and in the Council the Chief Whip of the Council after consultation with political parties regulate the leave of their members, it is done against certain minimum standards that are required in terms of attendance of members at plenary and committee meetings. The ensuring of attendance at plenary and committee meetings continues to be a principal function for political parties. Whips from the various political parties should be responsible for ensuring adequate representation at all plenary and other official activities of Parliament.

(10) As a general principle political parties in the Assembly and the Chief Whip of the Council in the Council have an obligation to ensure that —

(a) Parliament is able to function by taking decisions as required; and

(b) members are present at committee, forum and plenary meetings and that failure to do so may result in sanction being imposed on a member. However, a collective decision by a political party to break quorum by withholding their participation at such meeting is excluded from this general provision.

(11) It should be borne in mind that in the Assembly political parties and in the Council the Chief Whip of the Council after consultation with political parties largely regulate the leave of their members for up to 15 days. However, according to the rules of the Assembly and the Council, after 15 or more consecutive days, the leave of the House must be obtained to condone further absence.

(12) Attendance in Parliament includes the obligation to fulfill the duties imposed upon members by the Constitution and the Rules of the House. A member cannot excuse himself or herself from attending a plenary session or committee meeting when attendance is made compulsory by standing or other orders. Therefore, Parliament should have an enforceable attendance policy which allows for non-attendance by members as specified in the rules.

(13) Minimum standards regarding absence should be set to allow Parliament to impose sanctions for members as contemplated in the Constitution.

(14) In this regard the provisions of the Constitution (Sections 53 and 65) which provide respectively the quorum requirements for decisions to be taken by the Assembly and Council may be used to provide a minimum standard for attendance in terms of plenary sessions.

(15) The Constitution also requires special majorities for decisions on the following:

(a) Extension of states of emergency;

(b) amendments to the Constitution;

(c) a question to be decided in terms of Section 75 of the Constitution in the Council;

(d) Section 76 Bill rejected by the Council;

(e) Bills changing the seat of Parliament;

(f) removal of the President;

(g) motions of no confidence in the President or Cabinet;

(h) removal of judges;

(i) appointment and removal of members of Human Rights Commission, Commission for Gender Equality, Electoral Commission, Auditor-General and Public Protector;

(j) appointment and removal of certain members of the Public Service Commission, and

(k) appointment of inspector to monitor the intelligence services.

(16) When decisions of this nature are to be taken, a "three-line whip" approach should be applicable, which would involve a strict instruction to attend and vote issued by the respective political parties in the case of the Assembly or Chief Whip of the Council in the case of the Council.

(17) Committees play a vital role in the parliamentary process and assist the respective houses in performing their constitutional functions. Committees may be appointed to deal with two main areas of work: the work of Parliament (legislation and oversight) and Parliament's internal arrangements and procedures. While committees may proceed with their business regardless of a quorum being present, they do require a quorum before any decision can be taken. In Assembly committees, a quorum would be the majority of members of the committee, while in Council committees a quorum is dependent on the matter on which a decision is being taken, i.e. in certain instances it will be based on the number of members of the committee but in the case of matters that impact on the provinces decisions are taken on the basis of provincial mandates.

(18) If there is a conflict between this policy, rules and standing orders of the Houses, the rules and standing order of the Council and the Assembly, respectively, shall prevail.

3. Purpose of the policy

The purpose of this policy is to —

(1) Provide minimum standards for attendance of members in the business or activities of Parliament, including plenary sittings, committee meetings, study tours, workshops, parliamentary forums or any other parliamentary activity sanctioned by Presiding Officers or a House or its committees;

(2) define the different categories of leave of absence for members;

(3) provide an equitable and consistent application of leave for members;

(4) provide guidelines for consequences of unauthorised absence; and

(5) provide a mechanism for recourse for grievances in respect of the application of this policy.

4. Scope of application

(1) The policy applies to members of the Assembly and members of the Council.

(2) The policy applies to the attendance and absence of members of Parliament during parliamentary sessions.

5. Categories of leave

The following categories of leave are provided for:

(1) Family responsibility leave is granted to a member on the grounds of illness of his/her child, illness of his/her spouse or life partner, illness of his/her extended family or death of his/her spouse, adopted child, grandchild, sister, brother or a member of the extended family. A member is entitled to 5 (five) working days family responsibility leave annually, provided that a sick certificate or death certificate is provided.

(2) Compassionate leave is granted to a member in exceptional circumstance where the member's Family Responsibility leave has been exhausted, but he or she still requires additional leave. This leave is limited to 5 (five) working days annually.

(3) Maternity leave is granted for 4 (four) consecutive months. A member may commence maternity leave at any time from four weeks before the expected date of birth, unless otherwise agreed. A member who has had a miscarriage during the third trimester of pregnancy or bears a stillborn child is entitled to maternity leave for six weeks after the miscarriage or stillbirth.

(4) Parental/adoption leave is granted for 4 (four) consecutive months to the primary caregiver in a civil union or civil marriage in the event

of the adoption of a child under the age of 2 years upon receipt of an adoption order from the Children's Court. This leave will also be granted to the primary caregiver of a child born from a surrogacy agreement on receipt of a birth certificate.

(5) Spousal leave is granted to an individual partner, who is not the primary caregiver, in a civil union or civil marriage following the birth or adoption of a child under the age of 2 years. A member is entitled to 3 (three) weeks spousal leave provided that a birth certificate or adoption order from the Children's Court is provided.

(6) Political party business leave may be granted to a member on request from his or her political party in order to engage in political work outside the precincts of Parliament. A member must clearly specify in writing the number of days required and present communication from the leadership of the member's party confirming that the member requires party political leave. This leave is limited to 30 (thirty) working days annually, however should the member be absent for 15 or more sitting days the approval of the house will be required.

(7) Private business leave may be granted to enable a member to conduct his/her private business. A member is entitled to 5 (five) working days private business leave annually, provided that the business interests are approved by the political party and declared to Parliament in terms of the Code of Ethics.

(8) Study leave is granted to a member who is registered as a student of a formal institution of education or training or a member who is registered for a course with a formal institution of education or training. A member is entitled to 2 (two) working days leave for preparation for an exam and 1 (one) day for writing of an exam upon providing proof of the date of the examination.

(9) Cultural or religious leave may be granted to a member on request. A member is entitled to 2 (two) days cultural or religious leave annually.

(10) Sick leave is granted due to the illness or injury of a member. A member applying for sick leave must ensure that the application for leave is accompanied by a medical certificate if the member is absent for more than 2 (two) days. A member is entitled to 15 (fifteen) working days sick leave annually. Where sick leave is not taken in a year it may be transferred to the next year in a 3-year cycle.

(11) Special leave may be granted when a member requests, on approval of the political party, for extraordinary purposes or incidents not limited to appearing before a court, traditional initiation, cultural training, to undertake special research or attend block study classes, to attend a workshop, seminar or conference either locally or internationally. The member must state the purpose and the number of days required. This leave is limited to 5 (five) working days annually.

6. Procedure for granting leave

(1) All applications for absence from the Assembly must be approved by the whip designated by the political party.

(2) In the case of the Council, after obtaining approval from his or her political party, a member must also inform the relevant Provincial Whip and the Chief Whip of the Council who will where applicable, based on the work of the Council, consult with the member or his/her party leadership to approve or reject the leave.

(3) If a member is not able to apply for leave him/herself another member or representative of his/her party may do so.

(4) Should the reasons provided by the member or his or her representative when applying for leave be found to not warrant the granting of the specified number of days, this will be communicated to the member, the political party whip and in the case of a member of the Council to the Provincial Whip and the Chief Whip of that member's political party.

(5) Should a member fall ill during the leave period, the member may have the leave credited from the first day of the member falling ill provided that a medical certificate is provided.

7. Period of leave

(1) The period for which leave may be granted, other than maternity leave and parental/adoption leave, may not exceed 15 (fifteen) consecutive sitting days of either the Assembly or the Council.

(2) If a member is absent for more than 15 consecutive sitting days a motion must be tabled stating the reason for absence and the period of continued absence.

(3) The House will then need to agree to this motion for the leave to be granted.

(4) Should the House not agree to the motion granting leave, reasons for such decision must be provided to the member and his/her political party.

8. Sanctions in respect of absences

(1) If a member is absent for 15 or more consecutive sitting days of the Assembly or the Council, without authorisation, the member loses his/her seat.

(2) If a member is absent from 3 consecutive meetings of a committee to which he/she is appointed as a full member, outside of a sanctioned absence agreed to by the member's political party, a sanction may be applied to the member by either the Assembly or the Council to the effect of a fine of R1000 for each day of absence. The rules must provide for such a monetary sanction to be imposed.

(3) In the case of the Council if a member is absent during a "three-line whip" without being on authorised leave in terms of this policy sanctions may be applied to the member by the Council.

(4) This policy does not replace any procedures established by any of the Houses to be followed in the investigation and determination of allegations of misconduct and contempt of Parliament.

9. Record of leave applications

(1) All political parties in the Assembly must keep proper records of the leave of their members. However, it is the responsibility of the member or political party concerned to inform the Chairperson of a committee or duty whip of their absence from a committee meeting or sitting of the House.

(2) In the Council leave records must be kept by the Chief Whip of the Council.

(3) In the event of sanctions in respect of absence, documents must be submitted to Parliament's administration prior to any sanctions being affected.

(4) The Tables of the respective Houses should receive in advance the relevant documents of a motion for extension of leave and before any administrative action can be taken in terms of the loss of a member's seat.

(5) Attendance records of members should be published annually by Parliament in the Announcements, Tablings and Committee Reports document.

10. Recourse for grievances in respect of the application of the policy

(1) Any member who feels aggrieved by the sanction imposed upon him/her in terms of this policy may lodge a formal appeal to the Speaker of the Assembly or the Chairperson of the Council.

(2) If the Speaker or the Chairperson is unable to resolve an appeal by a member, they may, establish or make use of an existing multi-party committee to consider instances where a member is aggrieved by a sanction imposed.

(3) The committee should report its findings to the House to which the member belongs.

11. Communication of the policy

In the Assembly each party, and in the Council the Chief Whip of the Council, must ensure that this policy is communicated to all members on the day of its signing or at least 10 days after a member is sworn in as a member.

APPENDIX B

SPECIAL MAJORITIES REQUIRED IN TERMS OF THE CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA, 1996

(RULE 101)

When the Constitution requires a decision to be taken by special majority, then in all cases, even where there is consensus on the question, a vote count must be conducted to record whether a sufficient number of members are in favour of the question.

Part 1: General Matters

1. States of emergency (Section 37(2)(b))

The Assembly may extend a declaration of a state of emergency for no more than three months at a time.

The first extension must be by a resolution adopted with a supporting vote of a majority of the members of the Assembly (minimum 201 ayes).

Any subsequent extension must be by a resolution adopted with a supporting vote of at least 60 per cent of the members of the Assembly (minimum 240 ayes).

[Note: A resolution on the extension of a state of emergency may only be taken after a public debate in the Assembly.]

2. Bills amending the Constitution (Section 74)

Sections 1 and 74(1) of the Constitution may be amended by a Bill passed by the National Assembly with a supporting vote of at least 75 per cent of its members (minimum 300 ayes).

Any other provision of the Constitution may be amended by a Bill passed by the National Assembly with a supporting vote of at least two thirds of its members (minimum 267 ayes).

3. Ordinary Bills affecting provinces not agreed on by Mediation Committee or rejected by the Council (Section 76)

If the Mediation Committee is unable to agree within 30 days of a Bill introduced in accordance with Section 76 being referred to it, the Bill lapses unless the Assembly again passes the Bill, but with a supporting vote of at least two thirds of its members (minimum 267 ayes).

If the Mediation Committee agrees on the Bill as passed by the Assembly, or if the Mediation Committee agrees on another version of the Bill and it is not passed by the Council, the Bill lapses unless the Assembly passes the Bill with a supporting vote of at least two thirds of its members (minimum 267 ayes).

4. Bill changing the seat of Parliament (Section 76(5))

A supporting vote of the majority of Assembly members is needed to amend Section 42(6) of the Constitution, changing the seat of Parliament (minimum 201 ayes).

5. Motion of no confidence in the President of the Republic or Cabinet (Section 102)

A supporting vote of a majority of members of the Assembly is needed to pass a motion of no confidence in the President of the Republic or the Cabinet (minimum 201 ayes).

Part 2: Appointment of office-bearers or their removal from office

6. Removal of the President of the Republic (Section 89)

The National Assembly, by a resolution adopted with a supporting vote of at least two thirds of its members, may remove the President from office on grounds outlined in Section 89 of the Constitution (minimum 267 ayes).

7. Removal of judges (Section 177)

A judge may be removed from office only if the Judicial Service Commission has made a finding in terms of Section 177 of the Constitution and the National Assembly calls for that judge to be removed by a resolution adopted with a supporting vote of at least two thirds of its members (minimum 267 ayes).

8. Appointment of Public Protector and Auditor-General (Section 193(5))

A resolution for the recommendation of candidates for appointment as Public Protector or Auditor-General must be adopted with a supporting vote of at least 60 per cent of the members of the Assembly (minimum 240 ayes).

9. Removal from office of Public Protector and Auditor-General (Section 194(2))

A resolution of the National Assembly for the removal from office of the Public Protector or Auditor-General must be adopted with a supporting vote of at least two thirds of the members of the Assembly (minimum 267 ayes).

10. Appointment of Inspector-General of Intelligence (Section 210)

The President, as head of the national executive, must appoint an inspector to ensure civilian monitoring of the intelligence services and the appointment must be approved by a resolution adopted by the National Assembly with a supporting vote of at least two thirds of its members (minimum 267 ayes).

11. Appointment and removal of members of the Electoral Commission, Commission for Gender Equality and South African Human Rights Commission (Sections 193(5) and 194)

Recommendations for the appointment or removal of members of the Electoral Commission, Commission for Gender Equality and Human Rights Commission must be approved by a resolution adopted with a supporting vote of a majority of the members of the Assembly (minimum 201 ayes).

12. Appointment of members of Public Service Commission (Section 196(8))

Recommendations for the appointment of five members of the Public Service Commission must be approved by a resolution of the Assembly adopted with a supporting vote of a majority of its members (minimum 201 ayes).

APPENDIX C

STANDARD OPERATING PROCEDURES:
REMOVAL OF MEMBER FROM CHAMBER AND PRECINCTS (RULE 73)

(1) If a member refuses to leave the Chamber, the presiding officer asks the Serjeant-at-Arms to remove the member from the Chamber.

(2) The Serjeant-at-Arms approaches the member(s) to explain in a respectful manner that the instruction of the presiding officer must be complied with and that failure to do so can constitute a grave offence and have serious implications, including that the member(s) may need to be physically removed from the Chamber.

(3) If the member still refuses to leave, the Serjeant-at-Arms indicates to the presiding officer that the member refuses to comply, whereupon the presiding officer informs the House that the Parliamentary Protection Services are to be called upon to assist.

(4) The Parliamentary Protection Services personnel enter the Chamber upon the instruction of the presiding officer, and proceed to remove the member(s) concerned under the direction of the Serjeant-at-Arms.

(5) Members of the public in the gallery who participate in disorderly conduct will be removed by the security services.

PARLIAMENT
OF THE REPUBLIC OF SOUTH AFRICA

PARLIAMENT OF THE REPUBLIC OF SOUTH AFRICA
PO BOX 15 Cape Town 8000
www.parliament.gov.za

No 164—2022] FOURTH SESSION, SIXTH PARLIAMENT

PARLIAMENT

OF THE

REPUBLIC OF SOUTH AFRICA

ANNOUNCEMENTS, TABLINGS AND COMMITTEE REPORTS

THURSDAY, 20 OCTOBER 2022

TABLE OF CONTENTS

ANNOUNCEMENTS

National Assembly

1. Classified documents received from the IPID 2
2. Timetable for conduct of preliminary inquiry by the Section 89 Independent Panel 2
3. Notice by the Section 89 Independent Panel inviting information from any member of the National Assembly 4
4. Referral to Committees of papers tabled 6

National Council of Provinces

1. Transmission of Bills for concurrence 6

TABLINGS

National Assembly and National Council of Provinces

1. Speaker and Chairperson 6

National Council of Provinces

1. Chairperson 6

COMMITTEE REPORTS

National Assembly

1. Public Works and Infrastructure 8
2. Health 90
3. Cooperative Governance and Traditional Affairs 162
4. Public Service and Administration 169
5. Public Service and Administration 189
6. Public Service and Administration 211
7. Public Service and Administration 226
8. Public Service and Administration 241

ANNOUNCEMENTS

National Assembly

The Speaker

1. Classified documents received from the IPID

(a) Classified documents were received from the Independent Police Investigative Directorate (IPID), submitted for consideration by members of the Portfolio Committee on Police. A process has been developed to regulate the accessibility of the documents by full-time members of the Committee.

2. Timetable for conduct of preliminary inquiry by the Section 89 Independent Panel

(1) Timetable for the conduct of the preliminary inquiry initiated by the National Assembly to remove the President in terms of section 89 of the Constitution of the Republic of South Africa and its rules:

SECTION 89 INDEPENDENT PANEL: 30 CALENDAR DAY TIMETABLE FOR THE REPORT

DAYS	DATE	ACTIVITY DESCRIPTION
Day 1-3	19 – 21 October 2022	Start date for the appointment of the Panel and 30 calendar day period. Preparation and publication of notice to Members in the ATC to submit information to the Panel.
Day 4-09	22 – 27 October 2022	Timeframe allowed to any member of the Assembly to submit information
Day 10-19	28 October to 6 November 2022	Timeframe allowed to the President to respond to information received
Day 21-30	7 – 17 November 2022	Timeframe for the Panel to consider all information received, conduct any additional research required, deliberate on the facts, write, and finalise the Report.

3. Notice by the Section 89 Independent Panel inviting information from any member of the National Assembly

(1) Notice affording any member of the National Assembly an opportunity to submit relevant written or recorded information within a specific timeframe, in terms of National Assembly Rule 129G(1)(c)(i):

SECTION 89(1) INDEPENDENT PANEL

NOTICE IN TERMS OF RULE 129G(1)(c)(i) TO PLACE RELEVANT WRITTEN OR RECORDED INFORMATION BEFORE THE PANEL

The appointment of the Section 89 Independent Panel (the Panel), established by the National Assembly in terms of Rule 129D to consider any preliminary enquiry relating to the Motion proposing a Section 89 Enquiry, has been published in the Announcements, Tablings and Committees (ATC) and the 30-day period envisaged in the Rules commenced to run on 19 October 2022.

Pursuant to Rule 129G(1)(c)(i) the Panel invites any Member of the National Assembly who wishes to place before it relevant written or recorded information (the submission). The information must be submitted to the Office of the Independent Panel within 6 (six) days of the publication of this Notice in the ATC. The submissions must be made as follows:

a) An electronic version of the submission plus five hard copies of the submission must be delivered to the Office of the Independent Panel. (One copy for the record, three copies for each Panel Member and a copy to be sent to the President for his response.)
b) The electronic version must be contained on a memory stick.
c) A submission must be accompanied by all materials, such as cases law, academic works and statutes referred to in the submission.
d) Where reliance is placed on recorded materials, the submission must be accompanied by a transcription of the of the recorded material, duly certified as a true and correct transcription of the recorded material.

Please note that the Panel is working under severe time constraints. Non-compliance with the timeframe set out above will impact negatively on the timelines for the delivery of the Report to the Speaker. Late submissions will not be accepted without prior written consent of the Chairperson obtained before the expiry of the six-day period.

To facilitate processing of the submissions for transmission to the President, the five hard copies of the submission together with an electronic version should be delivered to the following address: **Room 701, 7th Floor, 100 Plein Street Building, Parliament, Cape Town (Between 10H00 and 15H00).**

ISSUED BY THE SECTION 89 INDEPENDENT PANEL
20 OCTOBER 2022

All enquiries must be directed to Ms. Fienie Viviers at Cell: 082 787 3640

4. Referral to Committees of papers tabled

(1) The following papers are referred to the **Standing Committee on Finance** for consideration and report. Report of the Independent Auditors on the Financial Statements and Performance Information is referred to the **Standing Committee on Public Accounts** for consideration:

(a) Report and Financial Statements of the Government Employees Pension Fund (GEPF) for 2021-22, including the Report of the Independent Auditors on the Financial Statements and Performance Information for 2021-22.

National Council of Provinces

The Chairperson

1. Bills passed by Assembly and transmitted to Council for concurrence

(1) Bill passed by National Assembly and transmitted for concurrence on 20 October 2022:

(a) **Electoral Amendment Bill** [B1B-2022] (National Assembly – sec 75).

The Bill has been referred to the **Select Committee on Security and Justice** of the National Council of Provinces.

TABLINGS

National Assembly and National Council of Provinces

1. The Speaker and the Chairperson

(a) Monthly Financial Statements of Parliament – September 2022, tabled in terms of section 54(1) of the Financial Management of Parliament and Provincial Legislatures Act, 2009 (Act No 10 of 2009).

National Assembly

National Council of Provinces

1. The Chairperson

(a) INVESTIGATION IN TERMS OF SECTION 106(1)(b) OF THE LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000 (ACT NO. 32 OF

SECTION 89 INDEPENDENT PANEL: 30 DAY CALENDAR DAY TIMETABLE FOR THE REPORT

DAYS	DATE	ACTIVITY DESCRIPTION
Day 1-3	19 – 21 October 2022	Start date for the appointment of the Panel and 30 calendar day period. Preparation and publication of notice to Members in the ATC to submit information to the Panel.
Day 4-09	22 – 27 October 2022	Timeframe allowed to any member of the Assembly to submit information
Day 10-19	28 October to 6 November 2022	Timeframe allowed to the President to respond to information received
Day 21-30	7 – 17 November 2022	Timeframe for the Panel to consider all information received, conduct any additional research required, deliberate on the facts, write, and finalise the Report.

OFFICE OF THE PRESIDENT

Justice Sandile Ngcobo

FORMER CHIEF JUSTICE OF THE CONSTITUTIONAL COURT

CHAIRPERSON: INDEPENDENT PANEL ON A SECTION 89 MOTION

ECONOMIC FREEDOM FIGHTERS' SUBMISSION TO THE SECTION 89 INDEPENDENT PANEL

A. INTRODUCTION

1. The Economic Freedom Fighters (the "EFF") hereby makes a submission to the Section 89 Independent Panel (the "Panel") established by the National Assembly in terms of Rule 129D to consider any preliminary enquiry relating to the Motion proposing a Section 89 Enquiry. The EFF submission is in accordance with the Panel's 30-day timetable for the report issued on the 20th of October 2022.

2. The EFF submission entails the following:

   2.1. Background
   2.2. Main submission
   2.3. Recommendations to the Panel.

3. The EFF submission includes the following additional video and documents:

   3.1. #VIDEO 1: ALLEGED CRIMINALS TRESPASSING AND HOUSEBREAKING IN PHALA-PHALA WILDLIFE FARM.
   3.2. #VIDEO 2: CYRIL RAMAPHOSA ADDRESS AT LIMPOPO ANC CONGRESS.
   3.3. #VIDEO 3: CYRIL RAMAPHOSA ADDRESS AT ANKOLE CATTLE BREED SOCIETY OF SOUTH AFRICA.
   3.4. Former Director-General of State Security and National Commissioner of Correctional Services Mr. Arthur Fraser affidavit.
   3.5. Mr. Cyril Ramaphosa's address to Limpopo African National Congress link video and transcript.
   3.6. Mr. Cyril Ramaphosa's response to questions in the National Assembly video and transcript.
   3.7. Mr. Cyril Ramaphosa's address to the Ankole Society video and transcript.

3.8. Letter to the Directorate for Priority Crime Investigation dated the 23rd of June 2022 about a meeting between Mr. Arthur Fraser and members of the DPCI in relation to Bela-Bela CAS93/06/2022.

3.9. #AUDIO CLIP OF MR CYRIL RAMAPHOSA INVESTIGATOR MR TERRENCE JOURBET

B. BACKGROUND

4. On the 1st of June 2022, the former Director-General of State Security and National Commissioner of the Department of Correctional Services (the "DCS") deposed an affidavit at the Rosebank Police Station in Johannesburg (See Attachment A: Former Director-General of State Security and National Commissioner of Correctional Services Mr. Arthur Fraser affidavit).

5. Mr. Fraser revealed in his affidavit that on the 9th of February 2020, there was trespassing and housebreaking at the main farmhouse at Phala-Phala, a wildlife farm located in Bela-Bela, Limpopo, and privately owned by Mr. Cyril Ramaphosa, during which incident large undisclosed sums of United States Dollars ("US$") were concealed in the furniture in the main farmhouse, which had been unlawfully removed from Mr. Ramaphosa. The amount stolen is speculated to be in the region of US$4 million to US$8 million (R73.7 million to R14.7 million in terms of US$ to rand exchange rate on the 24th of October 2022).

6. See a video file titled #VIDEO 1: ALLEGED CRIMINALS TRESPASSING AND HOUSEBREAKING IN PHALA-PHALA WILDLIFE FARM.

7. It is now an undisputable fact that, subsequent to the trespassing and housebreaking, the following happened:

   7.1. There were undisclosed sums of United States dollars concealed in the furniture, mattress, and couch, to be specific, that were not declared to the South African Reserve Bank. We attach hereto an audio clip in which an investigator tells one of the suspects that the amount is actually much higher than Ramaphosa admitted.

   7.2. Mr. Ramaphosa or anyone on the farm who works for Mr. Ramaphosa did not report the trespassing, housebreaking, and theft. As a result, there was no case number linked to any formal investigation by law enforcement agencies.

   7.3. An illegal team consisting of former South African Police Services (the "SAPS") and serving members of SAPS' rime Intelligence Unit without a case number

   7.4. Staff members, including the domestic worker, were interrogated at Mr. Ramaphosa's residence at Phala-Phala. The domestic worker was

subsequently initially dismissed from her employment at Phala-Phala but was later reinstated following a discussion between Mr. Ramaphosa and the domestic worker's father.

7.5. On the instruction of Mr. Ramaphosa, the thieves that were interrogated by Major General Rhoode and his team were paid each R150 000-00 (One Hundred and Fifty Thousand Rand) in cash to conceal the crime that took place at Phala-Phala on the 9th of February 2020.

8. On the 2nd of June 2022, the Presidency issued a statement and said,

"President Ramaphosa is clear that there is no basis for the claims of criminal conduct that have been made against him in Mr Fraser's statement. The Presidency can confirm that a robbery took place at the President's farm in Limpopo on or around 9 February 2020 in which proceeds from the sale of game were stolen. The President was attending an African Union Summit in Addis Ababa at the time the incident occurred. On being advised of the robbery, President Ramaphosa reported the incident to the head of the Presidential Protection Unit of the South African Police Service for investigation."

9. On the 5th of June 2022, Mr. Ramaphosa addressed the Limpopo African National Congress (ANC) congress and said:

"However, I would like to say that I am a farmer, I am in the cattle business and the game business, and through that business which has been declared to parliament and all over, I buy, and I sell animals. Sometimes people buy these animals, and some of the people who bought these animals, some of them are here. I do it through the sale, sometimes I do cash and sometimes I do transfers. Some of the people who are offshore customers, and some are locals. And some of them come to hunt on the farm. So, this that has been reported was a clear business transaction of selling animals. The amount involved is far less than the amount reported in the press. The amount involved is far less than then amount that has been reported. Some say its 1 billion and some say it's four million dollars and so forth, I want to say it is far less. Some are casting aspersions about me and money, I want to assure you comrades that all this was money from proceeds from selling animals. I have never stolen money from anywhere, be it from our taxpayers, be it from anyone, I've never done so. And will never do so. I've never stolen money from taxpayers. My integrity as a leader would never allow me to do so. I will never do so. Now I will continue to fight corruption. I want to make it clear that I will continue to fight corruption. And some of these things, are clearly, they have their own political agenda, and we are all aware of that, but it will not deter me from fighting corruption because I have never stolen taxpayers' money, that I have never done. So therefore, I will cooperate with any process. The renewal process that we are involved in comrades is such that all of us must

dedicate ourselves to become the type of leaders who will stand up and be able to say, we are here to serve are people, and we are here to ensure that our people get a better life. That is what drives me, that is what makes me wake up every morning, to serve our people and nothing else."

10. See a video file titled #VIDEO 2: CYRIL RAMAPHOSA ADDRESS AT LIMPOPO ANC CONGRESS.

11. We also attach an audio clip, in which Cyril Ramaphosa's own investigator, and a member of the NPA, tells the suspect that the amount stolen is US Dollars 20 million. This should be regarded as the official position about the amount stolen and known to Mr Cyril Ramaphosa. Accordingly, we submit that he has also lied to Parliament and the public when he stated that the amount stolen is far less than the amount mentioned in Mr Fraser's statement.

12. In an undated video, Mr. Ramaphosa addressed the Ankole Cattle Breeder Society of South Africa and said:

"The ankole society, not the president of South Africa. The other one is just a nice one to have, the real good one is to be the president of the Ankole society".

13. See a video file titled #VIDEO 3: CYRIL RAMAPHOSA ADDRESS AT ANKOLE CATTLE BREED SOCIETY OF SOUTH AFRICA.

14. On the 15th of July 2022, Mr. Ramaphosa addressed the 15th Congress of the South African Communist Party and said:

"Just over a month ago, there were criminal charges or complaints laid against me at the South African Police Service. The complaint related to a theft that was committed on my farm in February 2020. The allegations contained in the complaint are serious and it is only correct that they be thoroughly investigated and that the due legal process be allowed to take its course without interference. As we emerge from the era of state capture, we must be firm on the principle that no person, not a single person, is above the law and that every person, regardless of the position they occupy, must be held accountable for their actions. I have pledged my full cooperation to the investigation process which is under way. I am prepared to be held accountable.

I opted of my own volition to appear before the Integrity Commission. We were meant to meet a week ago, but the date did not suit everyone, we will finalise another date and I will go before the Integrity Commission. But I would like to say that I will not allow these allegations to deter me from what needs to be done to rebuild our economy, I will not allow this to deter me, to discourage me from the

work that I have to do. I will not be intimidated, nor distracted, nor bullied into submission."

15. On the 29th of September 2022, responding to a follow-up question asked by Mr. V Zungula in the National Assembly, Mr. Cyril Ramaphosa said:

"I have said and admitted that there was theft at the farm, and I reported that to the general of the SA police who later informed me that he has also reported it to another general of the SA Police.

That matter is obviously under processing within the police service, they are dealing with it. I deny that there was any form of money laundering and I have said it publicly that it was proceeds of sale of game.

I have been a cattle farmer and a game farmer for a number of years, and it is a matter that I disclosed and in my disclosure here in Parliament as well as to the secretary to the Cabinet and that is an activity that at times results in the sale of cattle as well as the sale of animals such as buffalos, sable, drone and water view that is a matter that takes place from time to time even recently we have been able to conclude. My managers have concluded a process whereaa parcel of a buffalo was also sold. That in my view is not money laundering, it is a process that goes on."

16. In the same sitting, Mr Cyril Ramaphosa continued to make the denials and explanations whose thrust is his failure to understand his oath of office as well as his obligations to be truthful to Parliament.

C. MAIN SUBMISSION

17. The EFF submission takes into full account and serious consideration Section 58 (1) (a) and (b) of the Constitution of the Republic of South Africa, which says:

(1) Cabinet members, Deputy Ministers and members of the National Assembly –
(a) have freedom of speech in the Assembly and in its committees, subject to its rules and orders; and
(b) are not liable to civil or criminal proceedings, arrest, imprisonment, or damages for –

(i) anything that they have said in, produced before or submitted to the Assembly or any of its committees;
Or
(ii) anything revealed as a result of anything that they have said in, produced before or submitted to the Assembly or any of its committee.

18. Section 96 (2) (a) and (b) of the Constitution of the Republic of South Africa says:

(2) Members of the Cabinet and Deputy Ministers may not –
(a) undertake any other paid work;
(b) act in any way that is inconsistent with their office, or expose themselves to any situation involving the risk of a conflict between their official responsibilities and private interests;

19. On the 26th of May 2014, the Presidency issued a statement, which said:

"I Deputy President Cyril Ramaphosa, on Monday announced a transaction that will result in my divestment from Shanduka Group.

Shanduka's majority shareholders have entered into an agreement that will, among other things, result in my complete divestment from the Group. In the interim, my family's interests will be held in blind trusts.

Over the course of the last 17 months, I have stepped down from the boards of several companies on which I served and resigned as Shanduka Group executive chairman.

This is the culmination of a review of my business interests that I initiated soon after my election as ANC Deputy President in December 2012. It was intended to remove the potential for any conflict of interest and enable me to effectively perform the functions of my position.

In the course of the next few weeks, I will take any further practical steps necessary to ensure that I comply with requirements of the Executive Ethics Code and uphold the integrity of my office.

I will continue to be involved in the Shanduka Foundation, a non-profit organisation that works in the areas of school development, skills development and enterprise development."

20. At the National Assembly sitting on the 29th of September 2022, Mr. V. Zungula asked Mr. Ramaphosa:

"Mr. President, when you joined government in 2014 you stated that you will hand over your business interests to a blind trust where you will not have any sight of your investments and operations of the business interests. If this is the case, why were you the go-to person to take action in the Phala-Phala case by assigning the head of your protection unit to deal with the matter? Whoever the manager was when the crime was committed in Phala-Phala would have been the relevant person to take action. However, in this case it was yourself. It is you who

confirmed to the House that you reported the case to the head of your protection unit.

The second question is why you have such intricate details such as money lost and the clients, yet your business interests are supposedly held in a blind trust where you have no sight? Are you currently involved in any businesses wherein you buy and sell merchandise while at the same time you are the President of the country?"

21. Mr. Ramaphosa responded and said:

Thank you, Hon Speaker. The question was why the report was done by myself. Soon after it happened, I was informed that theft had been committed and my manager informed me and I immediately informed General Rhoode as we were travelling and in Addis Ababa.

When things such as these happen I am informed like when a car overturns and there is an accident I am informed. Not that I will immediately be able to take somebody to hospital or whatever but I am informed because I am interested party on what happened. So, that is why I was informed and I was then able to inform a General of the police service who at the time was traveling with me in Addis Ababa.

With regard to all these interests I have declared, as I have said, my farming activities and my great passion for cattle farming and so on. I have declared the agricultural aspects or activities that I am involved in. That has been declared firstly here in Parliament and thereafter, when I became President, also to the secretary of the Cabinet. In addition, some properties that I personally own have also been disclosed.

I must say that initially the intention was to set up a blind trust, but then I did say that I do not intend to be in any other form of business other than the agricultural sector which I have declared. That is why in the end no such trust was formed because this is the sum total of what I get involved in. Do I sell and buy merchandise? No. Does the entity buy and sell cattle and animals? Yes, that is what it does. Why does it do so? Because they multiply and you either have to cull them or whatever, and that is the situation that we are in. Thank you, hon Speaker."

22. In the same sitting of the National Assembly held on the 29th of September 2022, the Commander in Chief and President of the EFF Mr. Julius Malema asked Mr. Ramaphosa:

Thank you very much, Speaker. Mr President, I just want to ask, which procedure were you following by reporting to the General who is your main protector, because we are all equal before the law? What makes you think that somehow you are so special that you can report crime to some General? Crime gets reported at the charge office. The example you gave of a car that overturns, when a car has overturned they don't call you to call an ambulance, the people who are in that car that has overturned are the ones who call an ambulance. The person who called you to inform you about the crime that took place at Phala-Phala is the one that should have called the police or go to the police station to report the matter. Please accept that you abused your power and you thought there was something special about you, which is why you didn't take the Mma Malema approach who, when her chickens are stolen, goes to the Seshego police station and report the case. Because she is an ordinary person and you see yourself above and that is why you report crime to generals and not to the charge office. You abused your power as the President of the Republic and you ought to accept. There is no such a procedure. The person who called you ... you are a law student and people like calling you a lawyer but you are not a lawyer but a graduate of law. You know how crime gets reported. They taught you that at school – Law 101: How crime gets reported. You did not follow any of the things they taught you at school in dealing with this matter because ... [Interjections.]

so please don't ... You have abused your office by reporting the matter to a General without following any of the prescripts ..."

23. Mr. Ramaphosa responded and said:

"Thank you, hon Speaker. I am glad that hon Malema corrected himself. He initially said I am a law student ... [Interjections.] ... No, no, no I will correct you as well. Hon Malema I went beyond being a student; I am a law graduate. I did graduate with a law degree. You are right, yes, and I did my articles ... [Interjections.]

If you want me to explain - I did my articles and I started off with a small firm and I ended up with a big firm. I wrote my board exam and you can mark something negative about me but I passed the written part and I failed the oral. Soon thereafter I got approached by the Council of Unions of South Africa who said to me we want you to come and work for us ... [Interjections.]

There are some members who would like to hear the story. So, let me regale them with the story. I then got approached by the Council of Unions of South Africa and then I made the choice to pursue the union route rather than to pursue the other one. So, in the end I never qualified as an attorney. I want to make that clear. I did not qualify as an attorney; I am however a law graduate.

Once the theft had occurred, I was informed as I said. I guess I may be repeating myself but I also need to answer that. I don't believe I abused my power because I am surrounded by police officials and when I informed the General, I was informing a police official. Even at the time, on the farm, my manager interacted with police officials who were involved with the whole process. I want to dispute the argument that I abused my power. I am not the type of person who will abuse my position or my power. So I did not, and having reported it to the police official I did believe that they will do what they need to do to ensure that this matter is properly handled. That is the extent to which I was able to handle this matter.

So, in my book, hon Speaker, it was reporting the crime to the police when I informed a police General. Thank you very much."

24. Mr. Ramaphosa admitted that after learning about the trespassing, housebreaking, and theft, he did not go to the police station or that no police officers went to the crime scene to obtain statements from witnesses. There were no case dockets, and no cases were registered in the SAPS Crime Administration System at any police station, as required. We attach

25. As a result, there was no CAS number to be used for all inquiries and investigations into the crime. All former and current SAPS officers who took part in the hunt for the alleged criminals, interrogated and tortured them, and used state resources did so under the illegal instruction and participation of Mr. Ramaphosa, who abused his powers and office, and without a registered CAS number.

26. The use of state resources to track down alleged criminals without a CAS number and a docket that can be presented to a relevant court for prosecution is a crime of defeating or obstructing the course of justice, and Mr. Ramaphosa engaged in such conduct.

27. *Mr. Ramaphosa abused his power and demonstrated impunity as a public official by treating a crime as if it were a matter of stating resources at his disposal by virtue of his office without following due process. But, more importantly, Mr. Ramaphosa goes further and acts, which is a necessary element of the crime of obstructing the course of justice.*
28. Mr. Ramaphosa took the oath of office, which reads:

Oath or solemn affirmation of President and Acting President

1. The President or Acting President, before the Chief Justice, or another judge designated by the Chief Justice, must swear/affirm as follows:

In the presence of everyone assembled here, and in full realisation of the high calling I assume as President/Acting President of the Republic of South Africa, I, A.B.,

swear/solemnly affirm that I will be faithful to the Republic of South Africa, and will obey, observe, uphold and maintain the Constitution and all other law of the Republic; and I solemnly and sincerely promise that I will always:

- *promote all that will advance the Republic, and oppose all that may harm it;*
- *protect and promote the rights of all South Africans;*
- *discharge my duties with all my strength and talents to the best of my knowledge and ability and true to the dictates of my conscience;*
- *do justice to all; and*
- *devote myself to the well-being of the Republic and all of its people.*

29. Mr. Ramaphosa failed to uphold, defend and respect the Constitution as the supreme law of the Republic in the following manner:

    29.1. Failure to declare foreign currency, as confirmed by the South African Reserve Bank, caused harm to the Republic.

    29.2. Failure to report the trespassing, house breaking, and theft to the SAPS was unfaithful.

    29.3. The issuing of instructions to interrogate the thieves, including interrogating a domestic worker, undermines the Constitution and laws of the country.

    29.4. Paying alleged criminals to conceal crimes.

30. Mr. Ramaphosa was not faithful to Parliament and the whole of South Africa when he said his family's interests would be held in blind trusts, which he recently confirmed that he didn't establish.

31. Furthermore, Mr. Ramaphosa undertook paid work and acted in a manner that is inconsistent with his office, and as such, placed him in a situation involving a risk of conflict between his official responsibilities and private interests, as demonstrated by the abuse of state resources by SAPS.

32. We submit that Mr Cyril Ramaphosa has either been ill advised or fails to understand that Section 96 (2) (a) of the Constitution provides that Cabinet members cannot do any other paid work. In his explanation that he declared he fails to appreciate that section 96 (2) (a) does not say that a Cabinet member has any option or that he/she can violate the provision if he/she has declared. Such condition or exception is not contained in the section at all. Where Mr Cyril Ramaphosa has claimed that he declared and therefore within the law, we sub it that he has misconceived Section 96 (2) (a). We ask the Panel to look closely to Section 96 (2) (a), and will find that on his own version, the President has a case to answer to Parliament about his paid work or farming activities.

D. CONCLUSION

33. The Panel must find that there is *prima facie* evidence of serious violation of the Constitution and several laws and regulations and prima facia evidence of serious misconduct. We reiterate that by his own admission Ramaphosa has already violated section 96 (2) (a) and (b) of the Constitution. Whether or not he declared, which we dispute, this violation stands alone like a sore thumb and makes a mockery of every attempt Ramaphosa makes to obfuscate matters.

34. Further and although the violation of the Constitution is already established, we submit that the Section 89 Enquiry should seek to find evidence to uncover the following:

    34.1. How much exactly was stolen from Mr. Ramaphosa's Phala-Phala wild life farm?

    34.2. Why did Mr. Ramaphosa not declare the US$ that were stored in his mattresses and couch?

    34.3. Why was the case not opened after the trespassing, housebreaking, and theft at a police station?

    34.4. Were the police involved in the search and interrogation of the alleged criminals who stole Mr. Ramaphosa's money

    34.5. Did the SAPS crime intelligence unit search for and question the people who were thought to have stolen money from Mr. Ramaphosa

    34.6. Did Mr. Ramaphosa attempt to conceal crimes of money laundering, corruption, or fraud?

JULIUS SELLO MALEMA
PRESIDENT AND COMMANDER IN CHIEF
ECONOMIC FREEDOM FIGHTERS

Mobile : +27 71 255 6201
Tel : +27 11 403 2307
119 Marshall Street, Marshalltown, 2017
Economic Freedom Fighters @EFFSouthAfrica @EFFSouthAfrica Koketso.Montjane@effonline.org www.effonline.org

June 23, 2022

Directorate for Priority Crime Investigation
South African Police Service
Promat Building
1 Cresswell Road
Silverton
Pretoria
0186

By Hand

Attention: Brigadier Basi

RE: MEETING BETWEEN MR. ARTHUR FRASER AND MEMBERS OF THE DPCI IN RELATION TO BELA-BELA CAS 93/06/2022

COMPLAINT AGAINST PRESIDENT MATAMELA CYRIL RAMAPHOSA, MAJOR GENERAL WALTER RHOODE AND OTHERS

1. The above investigation docket and the meeting between me, my legal representatives and Brigadier Basi and Colonel Schnelle of the Directorate for Priority Crime Investigation ('DPCI' and/or 'Hawks') of 15 June 2022, refers.

2. Thank you once again for the meeting and the promptness and professionalism displayed in attending to my complaint into the conduct of the President of the Republic of South Africa, President Matamela Cyril Ramaphosa, ('***President Ramaphosa***' and/or '***the President***'), the Head of the South African Police Services ('SAPS') Presidential Protection Unit, Major General Walter Rhoode ('***Major General Rhoode***') and other persons.

3. As expressed during our meeting, I appreciate some of the difficulties and challenges the DPCI has, and which it may encounter, in investigating this matter.

4. Notwithstanding, it is for this reason that we undertook to write the DPCI to advise on some of the issues I conveyed, as obtained by me from various sources, during the course of our meeting and to advise on additional information that has subsequently come to my attention and which may assist in the course of the DPCI's investigation into the matter. I set out hereunder, not conclusions, but pointers of areas for further investigation. I do this not to accuse the individuals identified herein, but to assist your investigation as you requested me. I trust that these pointers can lead you to the truth and finality in your investigation.

5. As such I supplement my complaint and advise as follows:

   5.1. In response to a question from the DPCI investigators on where the money comes from, I advised that one of President Ramaphosa's closest Advisors, Mr. Bejani Chauke ('Mr. Chauke'), was ostensibly instrumental in illegally bringing large sums of US $ into South Africa for both he and the President after returning from trips he undertook on behalf of President Ramaphosa to various countries, *inter alia*, including, Saudi Arabia, Qatar, Egypt, Morocco and Equatorial Guinea. The money was not declared to either the South African Revenue Services ('SARS') or the South African Reserve Bank ('SARB') and did not enter the formal banking system in this country. Mr. Chauke allegedly, also on occasion, utilized the services of privately chartered flights for his travels. In this regard, the movement control records of Mr. Chauke's international travels, along with his mode of transport and the associated costs thereof ought to be established.

   5.2. Mr. Chauke is said to have concealed the undisclosed amount of US $ in one of his couches at his personal residence in Hydepark, Johannesburg and with the assistance of Major General Rhoode, transferred the couch to the President's residence at Phala Phala, with the full knowledge and acquiescence of the President. An analysis of the mobile telephone and tower networks of both Mr. Chauke and Major Rhoode's mobile telephones and vehicle tracking devices would shed some light hereon. Major General Rhoode's telephone numbers are 0833297959 & 0733012505, whilst Mr. Chauke's telephone numbers are 0833326666 and +2348165398559 (WhatsApp number).

5.3. This is the money that was stolen from the President's Phala Phala farm on 9 February 2020 and not any money derived from the sale of animals and/or the hunting of game as glibly articulated by the President on 5 June 2022 in his address to the closing of the African National Congress ('ANC') Limpopo Conference when he, *inter alia*, stated:

> *'... I want to reaffirm that I was not involved in any criminal conduct and once again I pledge my full cooperation with any form of investigation. Now due to the investigation I will not really be able to engage deeply or further on this matter as we should allow the due process to take place. However, I would like to say that I'm a farmer. I'm in the cattle business and the game business. And through that business that has been declared in parliament and all over. I buy and I sell animals. Sometimes people buy these animals and some of the people who buy these animals, some of them are here. I do it through the sales which are sometimes through cash and sometimes through transfers. Some of the people are offshore customers and who are sometimes local, come through and buy animals. And some of them come also to hunt on the farm. And, so this that is being reported was a clear business transaction of selling animals.'*

5.4. Business records of the President's sale of animals (including auctions and private sales) and hunting that took place at Phala Phala and on other farms through which the President conducts business must be obtained for the period 1 March 2019 to 29 February 2020, detailing all transactions and all invoices, receipts and communications (including e-mail) in relation to sales and purchases.

5.5. Both the business banking records and personal banking records of the President for the period 1 March 2019 to 29 February 2020 must be obtained, detailing all credits and debits.

5.6. It would be prudent to obtain witness statements from the Phala Phala farm manager and/or sales manager and/or any other person(s) responsible for the day-to-day business activities relating to the sales (and auctions) of animals and the hunting of animals at Phala Phala and or any of the President's associated entities on which such business activities are said to have taken place during the period 1 March 2019 to 29 February 2020.

5.7. In particular, all cash business transactions must be identified, which must be confirmed with the purchaser(s), including person(s) having hunted on the property.

5.8. It must also be established what the business practice is in relation to the handling of cash business transactions and where the monies are ordinarily kept.

5.9. The company registration documents in relation to Phala Phala and any of the President's associated entities on which business activities such as the sale (and auctions) of animals and the hunting of animals are said to have taken place during the period 1 March 2019 to 29 February 2020, must be obtained.

5.10. It must further be established from the SARB whether the President and/or Phala Phala, and/or any of the President's farming, animal or hunting entities had declared the possession of any foreign currency or any business transactions in foreign currency and/or had obtained any authorization from the Reserve Bank in this regard. Particularly, US $'s.

5.11. It must be established from SARS whether the President and/or Phala Phala, and/or any of the President's farming, animal or hunting entities had declared any income through foreign currency, particularly US $ in the submission of business and personal tax returns for the period concerned.

5.12. The Financial Intelligence Centre ('FIC') is in possession of a report demonstrating that the President does not utilize his private bank account for day-to-day transactions as is ordinarily expected of any person. A copy hereof ought to be obtained.

5.13. Mr. Chauke is said to have purchased a Mercedes Benz V Class, G Class and V Class registered in the name of his younger sister.

5.14. Mr. Chauke also purchased a house in Hyde Park for R10 Million during 2019, which is presently being renovated by a certain Themba Rikhotso.

5.15. Approximately 3 weeks ago, after charges were laid against the President, Mr. Chauke is said to have moved US$ 20 million in cash to a South African citizen, Mr. Zahir Vallie with ID Number 7402115223084 for safekeeping for himself and the President. Mr Zahir Vallie's mobile telephone number is 0825305989.

5.16. Mr Zahir Vallie trades in property in Cape Town, called Z Prop. Mr Zahir Vallie's property portfolio is estimated to be worth approximately R800 million. He is known to bring large amounts of foreign currency into South Africa from the Middle East without declarations, through Cape Town International airport. Information received indicates that all his properties bought are cash purchases. It is well known that his properties are running at a considerable financial loss with low returns, clearly a sign of significant money laundering.

5.17. Mr. Chauke clearly enjoys a lavish lifestyle far beyond that to be expected of a Presidential Advisor. It is prudent that a lifestyle audit be conducted into the affairs of Mr. Chauke.

5.18. Mr. Chauke was further also instrumental in assisting the President and Major General Rhoode with the investigations into the theft at Phala Phala. In this regard, the following persons rendered, *inter alia*, assistance in the investigation to the President, Mr. Chauke and Major General Rhoode into the theft at Phala Phala:

5.18.1. Constable Rikhotso, a member of the Presidential Protection Services.

5.18.2. Constable Jabu Mahlangu, a member of the Presidential Protection Services.

5.18.3. Colonel Smanga Simelane ('Colonel Simelane') of the South African Police Services ('SAPS') Crime Intelligence.

5.18.4. Dr Anton Deon De Swardt ('Dr De Swardt'), a farmer and a managing partner at De Swardt Myambo Hlahla Attorneys, 941 Jan Shoba Street (Cnr Mackenzie Street), Brooklyn, Pretoria.

5.18.5. Deputy Minister of Human Settlements, Water and Sanitation, Mr. David Mahlobo ('Deputy Minister Mahlobo')

5.18.6. Deputy Minister in the Presidency, Mr. Zizi Kodwa ('Deputy Minister Kodwa')

5.18.7. Mr. Sean McCarthy of the Sean McCarthy Group ('SMG'), ('Mr. McCarthy').

5.18.8. Mr. Karl Lars Magnusson ('Mr Magnusson'), 19 St Louis Avenue, Fresnaye, Cape Town

5.18.9. Paul O'Sullivan ('Mr O'Sullivan')

5.19. Constable Rikhotso, whose mobile telephone number is 0780150003, is said to have assisted in the tracing of the persons alleged to have broken into the President's residence using government resources and in torturing them in Cape Town. Constable Jabu Mahlangu's mobile telephone number is 0716781482.

5.20. Colonel Simelane, whose contact number is 0824474958, is said to have assisted Mr. Chauke, with whom he enjoys a particularly close

relationship, in the tracing of the alleged to have broken into the President's residence using government resources.

5.21. Dr De Swardt is one of the President's farming neighbors near Phala Phala and is the farmer with investigation capacity who assisted in the viewing of the video security footage from the respective security cameras at Phala Phala and who assisted the President in the tracing of the persons alleged to have broken into the President's residence.

5.22. Deputy Minister Mahlobo, a former Minister of State Security, used his network of contacts to assist in the tracing of the persons alleged to have broken into the President's residence.

5.23. Deputy Minister Kodwa accompanied Major General Rhoode on numerous trips to Namibia in engaging with the Namibian President and Namibian law enforcement authorities on the matter.

5.24. Mr O'Sullivan, who is a close associate of both the President and Mr. Chauke, is said to have used his private investigation company to assist in the tracing of the persons alleged to have broken into the President's residence.

5.25. Mr McCarthy is said to have assisted the President and Mr. Chauke in facilitating converting large sums of US$ into Rands. Mr McCarthy is also said to have most of his capital kept offshore in Mauritius. Mr McCarthy's mobile telephone number is 0832508209 and his email address is sean@smg.co.za .

5.26. Mr Magnusson, a neighbour to President Ramaphosa in Cape Town, and who is presently believed to be illegally in South Africa, is said to have not only assisted in facilitating converting large sums of US$ into Rands, but also assisted in the pinging of persons alleged to have broken into the President's residence and actively participated in their subsequent torture.

5.27. Government grabber devices were also used to trace and ping persons alleged to have broken into the President's residence. In this regard, one of the numbers pinged was that of Erkki Shikongo, namely, 0739780397.

5.28. The telephone number of one of the members of Major General Rhoode's team who assisted in the investigation, namely, Mr. Trevor Fredericks, who is since deceased, was 0798229774.

5.29. The President, through Mr. Chauke, had paid substantial amounts of money between February 2020 and July 2021 to trace persons alleged to have broken into the President's residence and to recoup some of the stolen US $.

5.30. During our meeting of 15 June 2022, I furnished the DPCI investigators with a copy of the Crime Intelligence Report from the Namibian Service, authored by Commissioner Nelius Becker, dated 21 June 2020 and simultaneously provided a high level assessment of the Namibian Crime Intelligence report.

5.31. Importantly, the Namibian Crime Intelligence Report (notably p.5) corroborates what I had been told by another source, as well as corroborated and provided further information to the evidence submitted together with his affidavit filed at the Rosebank police station on 1 June 2022, notably:

5.31.1. When the Namibian Police interviewed Mr. Imanuwela David, he confirmed that they had stolen US $ of President Ramaphosa that was concealed inside the furniture at President Ramaphosa's Phala Phala farm. This is how the Namibian authorities became aware of the theft that had taken place at Phala Phala farm.

5.31.2. The report details that the domestic worker, employed at Phala Phala farm had assisted Mr. Imanuwela David and his co-conspirators in locating the US $ concealed in the furniture at Phala Phala farm.

5.31.3. The report further details that the domestic worker also identified the suspects when she was confronted by South African authorities about the theft and as a result was not apprehended.

5.31.4. The report reflects that the Namibian authorities detected Mr. Imanuwela David when he illegally entered Namibia on or about 7 June 2020.

5.32. I further pointed out to the Hawks that there is a Colonel Edwards (female) who is attached to the South African Embassy in Namibia as the SAPS attaché and that she had been the nodal point of communication between the Namibian Police and the South African SAPS at the time in 2020, which communication was initiated by the Namibian authorities.

5.33. In this regard, the report reflects that the Namibian Police had provided Colonel Edwards with a copy of the RSA passport of Mr. Imanuwela David pursuant to detecting his illegal entry into Namibia and asked to establish if there was a warrant of arrest issued for Mr. Imanuwela David in South Africa.

5.34. Colonel Edwards in turn reverted to the Namibian Police that there was no warrant of arrest issued for Mr Imanuwela David in South Africa, but that he has prior convictions for drunken driving, assault GBH and drinking in public.

5.35. The Namibian authorities had asked SAPS to follow up on the cell number of **"Papa J"** and details of the vehicle that dropped Mr Imanuwela David at Rooiwal.

5.36. The SAPS subsequently reverted to the Namibian Police Service through Colonel Edwards that the vehicle was a Hyundai I20 with GP registration plates (no vehicle registration plate details provided). SAPS further reported that the vehicle had four occupants who claimed that they were from KZN. A cell number of one of the occupants named **"Prince"** was obtained, notably: +27780452908.

5.37. It would thus be prudent to interview Colonel Edwards and obtain her statement in relation to her interaction with the Namibian authorities assistance hereon and the relevant assistance rendered.

5.38. Page 2 of the Namibian Police Intelligence Report references the acting CEO of Fishcor, Mr. Paulus Ngalangi as having been arrested by the Namibian authorities in June 2020 for assisting Mr. Imanuwela David to illegally cross from South Africa into Namibia on 13 June 2020. Mr. Ngalangi is currently out on bail and the criminal case is still ongoing. Mr Ngalangi had to subsequently resign from his employment with Fishcor.

5.39. Mr. Fraser referred the DPCI investigators to recent articles in the Namibian media (as of June 2022) confirming the arrest of Mr. Paulus Ngalangi in 2020 for assisting Mr. Imanuwela David to illegally cross the South African / Namibian border into Namibia on 13 June 2020.

5.40. I subsequently learned that Mr Imanuwela David and Mr Paulus Ngalangi are related and further that both Mr. Imanuwela David and Mr Paulus Ngalangi are related to Mr. James Hatuikulipi who is one of the accused in the infamous 'Fishrot' corruption case pending in the Namibian High Court. The Namibian Home Affairs department and the Namibian police can confirm these relations.

5.41. Mr. James Hatuikulipi is also closely linked to the President of Namibia. Information available is that one of the suspects in the matter, Mr. Maren De Klerk, an attorney, implicates some of the accused, along with the President of Namibia.

5.42. It is believed that Mr. Imanuwela David was laundering money into Namibia to cover the legal costs of some of the accused in the pending 'Fishrot' case.

5.43. It is also evident that Major General Rhoode's request for a meeting with the Namibian Commissioner of Police came about after the exchange of information between the Namibian Police and SAPS (through the SA Embassy in Namibia regarding Mr Imanuwela David and what had been discovered regarding an alleged theft at the Phala Phala farm of President Ramaphosa.

5.44. At page 6, par 2 of the Namibian Police's Crime Intelligence Report, I highlighted that according to the report, Major General Rhoode contacted the Namibian Police Special Branch, Crime Intelligence to set up a meeting in **"No man's land"** at Ariamsvlei border post.

5.45. During the meeting at **"No man's land"**, Major General Rhoode confirmed to his Namibian counterpart that **"something"** took place at President Ramaphosa's Phala Phala farm and that Mr. Imanuwela David was the mastermind behind the burglary.

5.46. Major General Rhoode, according to the report, supplied names and photographs of Mr Imanuwela David's accomplices and advised that due to the sensitivity of the matter and the envisaged fallout that it will create in South Africa, that the matter be handled with discretion.

5.47. The report further also noted that discussions were allegedly ongoing between the Presidents of South Africa and Namibia.

5.48. Page 7 of the report detailed that correspondence was subsequently written to the South African Police Service to follow up on the telephone numbers of **"Papa J"** and **"Prince".**

5.49. In addition, according to the report, the Namibian authorities would liaise with their South African counterparts regarding, on, inter alia:

5.49.1. The Namibian FIC to analyse the available bank accounts of the Namibian suspects and to liaise with the FIC in South Africa.

5.49.2. A letter to be sent to South Africa to establish if there is a predicate offence in South Africa, which would justify money laundering investigations in Namibia.

5.50. The Namibian authorities have subsequently publicly confirmed having written to South Africa in July 2020 seeking the requisite assistance in the investigation into the matter.

5.51. In this regard, the Namibian authorities can be engaged informally and/or formally to confirm the correctness of the contents of their report and to obtain witness statements, bank records and copies of the Namibian letter(s) to South Africa in which it seeks assistance, and a copy of the Namibian FIC report.

5.52. The report also stated that prior the housebreaking and theft at the President's farm, Mr. Imanuwela David and his fellow perpetrators spent a few days at Aventura, Warmbaths, Limpopo where the plan to break into the President's residence was devised. It would probably be advisable for the DPCI to approach Aventura and establish the correctness thereof. If in the affirmative, the names, addresses, contact details etc. of the person(s) who affected the bookings and the records of the stay ought to be obtained.

5.53. I was further advised that when the domestic worker was interrogated by Major General Rhoode and his informal investigative team, she had informed them that the persons who had broken into the home of the President had returned to Western Cape immediately after the break-in.

5.54. During about February to March 2020, Major General Rhoode's informal investigation team then contacted individuals within the SAPS Detective Services in Cape Town, advising under false pretense that they had information on individuals that were linked to drug smuggling.

5.55. In this fictitious **"drug smuggling"** claim, Major General Rhoode's informal investigation then provided the details of some of the individuals involved in the Phala Phala theft to the SAPS Detective services to track the individuals concerned.

5.56. As a result, an enquiry was opened into fictitious drug smuggling when in fact the investigation related to a crime committed at President Ramaphosa's Phala Phala farm.

5.57. Under this subterfuge, the detectives in Cape Town were able to trace the suspects to a residence in Milnerton, Cape Town, which was later, raided and where four males were temporarily detained. Photographs of the detainees, laying handcuffed on the floor are annexed hereto for ease of reference.

5.58. The detectives did not find any drugs on any of the suspects, but found cellphones and documents which they seized and booked into the Cape Town Central SAPS 13.

5.59. These devices were then handed over to DPCI Bellville to download the information from these devices, which subsequently assisted Major General Rhoode and his team in locating and tracking the alleged perpetrators of the theft at President Ramaphosa's Phala Phala farm.

5.60. Identity documents of the suspects were seized by Major General Rhoode's team and a link chart was developed. A copy thereof is annexed hereto for ease of reference.

5.61. A list of telephone numbers, extracted from the devices was also provided to Major General Rhoode and his team.

5.62. During our meeting I also indicated to the Hawks Investigators that he is aware that a sum of US$ 500 000, of the money stolen at Phala Phala farm, was exchanged at a Chinese pawnshop in Hout Street, Houtbay, Cape Town.

5.63. I further advised of an individual who facilitated the exchange of US $ at the Chinese pawnshop, who is being identified.

5.64. I have also been reliably informed that Mr. Chauke has photographs of US dollars wrapped in shrink-wrap on his WhatsApp number.

5.65. It would be advisable to obtain the relevant documents reflecting the purchase of moveable and immovable property by the alleged perpetrators of the theft at Phala Phala in both South Africa and Namibia.

5.66. The detailed bank records of the alleged perpetrators of the theft at Phala Phala ought to be obtained in both South Africa and Namibia.

5.67. The certified court record depicting the charges on which Mr Imanuwela David has since pleaded guilty on and in respect of which he had paid a fine ought to be obtained.

5.68. The FIC also needs to be approached in relation to any information it may have obtained and any analysis it may have conducted.

5.69. It ought to be established whether the leadership of the SAPS, including the Minister of Police, were aware of the theft of the monies at the President's Phala Phala farm.

5.70. The SAPS ought to advise whether it had received a formal or informal request from the Namibian authorities to render assistance in the Namibian investigation.

5.71. The SAPS ought also to advise on the resources and costs expended by it in the course and scope of the investigation.

5.72. It ought to be established whether the Director-General: Department of Justice and Constitutional Development, who is the central authority for letters of request for mutual legal assistance received any formal or informal request for assistance from the Namibian authorities.

5.73. It ought also to be established whether the Minster: Justice and Constitutional Development was aware of any informal or formal assistance requested by the Namibian authorities. I have been reliably informed that the Namibian Ministry of Justice is in possession of a receipt from the courier company confirming delivery of the Namibian letter seeking assistance from the South African authorities in relation to its own investigation into the matter.

5.74. The DPCI investigators ought also to establish from the National Director of Public Prosecutions ('NDPP') whether any informal or formal assistance was sought by the Namibian authorities and if in the affirmative why no assistance was rendered.

5.75. The National Prosecuting Authority ('NPA') must also advise whether any processes in terms of the Prevention of Organised Crime Act No. 121 of 1998 were invoked in relation to any of the alleged perpetrators apprehended under the subterfuge of a fictitious drug investigation and/or any investigation related to the alleged perpetrators of the theft at Phala Phala or any of the alleged perpetrators close associates.

5.76. Telephones were seized from Mr. Imanuwela David in Namibia and from alleged perpetrators in South Africa, in respect of which data was extracted. The data ought to be obtained in respect of all the telephones and SIM cards seized both in Namibia and South Africa. The detailed itemized billing in respect of all the telephone numbers ought to also be obtained from the relevant service providers.

5.77. A copy of both the media statement issued by the Presidency on 2 June 2022 and the address by President Ramaphosa at the closing of the ANC Limpopo Conference ought to be obtained along with any statements the President made in Parliament in relation to the theft at Phala Phala.

5.78. Copies of the media statement issued by the Presidency in Namibia and the Commissioner of Police in relation to the matter ought also to be obtained.

5.79. The alleged perpetrators also invested in businesses in both Namibia and South Africa. The records, including financial records in this regard ought to be obtained.

6. I remain available and committed to render assistance to the DPCI in furtherance of its investigation into the matter.

7. Should you require any further information or assistance from me, do not hesitate to contact my legal representatives.

Yours faithfully

Arthur Joseph Peter Fraser

WITNESS STATEMENT

I, the undersigned,

ARTHUR JOSEPH PETER FRASER,

do hereby make oath and state:

INTRODUCTION

1. I am an adult South African male and the complainant herein.

2. Over the years I have served in various positions both in the government of the Republic of South Africa and in the private sector.

3. Most recently, I served as the National Commissioner for the Department of Correctional Services ('***DCS***'), a position I served in from 18 April 2018 to 26 September 2021.

4. Immediately prior thereto, I served as the Director-General: State Security Agency ('***SSA***') with effect from 26 September 2016 until 17 April 2018. I previously also served as the Deputy Director-General: Operations in the National Intelligence Agency ("NIA") from December 2005 until November 2010 and as the Provincial Head: Western Cape from 1998 to 2004.

5. By virtue of my experience, my advice is regularly sought in relation to security and intelligence matters. Similarly, unsolicited information is also regularly brought to my attention by various people and entities.

PURPOSE OF STATEMENT

6. I attest hereto solely in pursuance of requesting the South African Police Service ('***SAPS***') to investigate the conduct of the President of the Republic of South Africa, President Matamela Cyril Ramaphosa ('***President Ramaphosa***' and or '***the President***'); the Head of SAPS' Presidential Protection Unit, Major General Wally Rhoode ('***Major General Rhoode***'); and that of others, which, *inter alia*, amounts to money laundering, in contravention of the Prevention of Organised Crime Act No. 121 of 1998 ('POCA') and corruption, in contravention of the Prevention of Corrupt Activities Act No. 12 of 2004, as a result of information, documents, photographs and video footage that has been brought to my attention.

7. I appreciate that it is no small matter to lay criminal charges against a sitting President, but I am guided by the dictates of the interests of justice and our Constitution.

BACKGROUND

8. On or about 9 February 2020, trespassing and housebreaking occurred at the main farmhouse at Phala Phala, a wildlife farm situated in Bela-Bela, Limpopo, which is privately owned by President Ramaphosa, during which incident large undisclosed sums of United States Dollars ('***US$***'), concealed in the furniture in

the main farmhouse had been unlawfully removed from the President's premises by the assailants.

9. The incident was not officially reported to the police to investigate. However, President Ramaphosa instructed Major General Rhoode to immediately investigate the incident, to apprehend the suspects and to retrieve the stolen US$.

10. Major General Rhoode subsequently acquired the services of a local farmer with investigative experience and capabilities to assist him with the investigation.

11. Major General Rhoode immediately, illegally, constituted a team, consisting, *inter alia*, of former SAPS members and serving members of SAPS' Crime Intelligence Unit, along with the local farmer to investigate the matter at the instance of President Ramaphosa

12. The team, as I have been advised, collected video and photo evidence; interviewed the domestic worker concerned and some of the suspects; recovered some of the stolen loot and obtained documentary proof of how some of the stolen US$ had been spent by the alleged perpetrators. Some of the videos, photographs and documents to which I refer herein, were handed to me by one of the members of the investigative team.

13. In addition to the above, I was also informed of the following by a member of Major General Rhoode's team:

13.1 One of the domestic workers employed at Phala Phala discovered undisclosed sums of US$ concealed in the furniture of the President's residence on the farm.

13.2 The domestic worker hails from an informal settlement in proximity to Phala Phala, known as Cyferskyl, which is predominantly occupied by Namibian citizens.

13.3 Upon discovering the undisclosed sums of US$ concealed in the furniture of the President's residence, the domestic worker conspired with members of Cyferskyl informal settlement who facilitated the following persons resident in Cape Town, namely, (i) Urrbanus Lomboleni Shaumbwako (***'Mr Shaumbwako'***), a Namibian citizen; (ii) Petrus Fikeipo Muhekeni (***'Mr Muhekeni'***), a Namibian citizen; (iii) Erkki Shikongo (***'Mr Shikongo'***), a Namibian citizen; (iv) Imanuwela David (***'Mr David'***), a South African citizen; and Petrus Afrikaner (***'Mr Afrikaner'***), a Namibian citizen, to break into the President's residence at Phala Phala to steal the US$ concealed in the furniture in President Ramaphosa's property.

13.4 The assailants unlawfully entered the perimeters of Phala Phala farm at approximately 22h17, 9 February 2020, by cutting the wire perimeter fencing, after which they surreptitiously approached the President's residence. (A copy of a topographical image depicting Phala Phala; places where the fences were cut; and where visible spoor were found, as handed to me is annexed hereto marked '**AF 1**'; whist a picture depicting a cut fence, which was also handed to me, is annexed hereto marked '**AF 2**').

13.5 Entry was gained through a window on the ground floor of the President's main residence on the farm. (A copy of a picture in confirmation hereof, which was handed to me, is annexed hereto marked **'AF 3')**.

13.6 The break-in to the President's residence at Phala Phala was captured by both external Security Cameras strategically situated outside the farmhouse and internal Security Cameras strategically situated inside the President's residence. (Security Camera Footage from external Camera 1 at 22h14:14s depicting two of the assailants outside the premises and the voices of investigators viewing the footage is annexed hereto on a removable flash drive, marked **'AF 4'**. The removable flash drive also contains Security Camera footage from external Camera 1 at 22h17: 01s depicting one of the assailants on the outside of the premises; Security Camera footage from external Camera 4 at 00h33: 34s depicting two of the assailants on the outside of the premises removing the window where entry was gained into the premises and which contains the voices of investigators viewing the footage; Security Camera footage from internal Camera 1 and another undisclosed internal camera depicting some of the assailants inside the premises at around 1h44:08s. The Security Camera footage referred to herein was also handed to me by a member of Major General Rhoode's team).

13.7 The alleged perpetrators subsequently ransacked the President's residence at Phala Phala by removing the undisclosed amount of US$ that was concealed in the furniture in the residence.

13.8 The perpetrators thereafter immediately returned to Cape Town.

13.9 Although there was not any certainty as to the precise amount of US$ stolen from the President's residence, the quantum was speculated to be in the region of approximately US$4 million to US$ 8 million.

13.10 Staff members, including the domestic worker, were interrogated at the President's residence at Phala Phala. (A picture of the domestic worker is annexed hereto marked '**AF 5**'. The picture was purportedly taken by members of Major General Rhoode's investigating team on the day the domestic worker was interviewed).

13.11 The domestic worker was subsequently initially dismissed from her employment at Phala Phala, but was later reinstated following discussions between President Ramaphosa and the domestic worker's father.

13.12 Upon reinstatement the domestic worker was paid an amount of R150 000 (One Hundred and Fifty Thousand Rand) cash in lieu of her undertaking not to divulge any information of what had transpired at Phala Phala.

13.13 This notwithstanding, residents of Cyferskyl informal settlement knew about the theft that had taken place at President Ramaphosa's farm.

13.14 I annex hereto as '**AF 6**' a picture of a further suspect that was interrogated whilst handcuffed in the President's residence at Phala Phala.

13.15 The investigating team constituted by Major General Rhoode traced some of the alleged perpetrators back to Cape Town where they were apprehended under the ruse of an official police investigation and were interrogated.

13.16 Copies of the alleged suspects' identification documents were obtained (which were also handed to me). Attached hereto are copies the following:

13.16.1 The Namibian Passport of Mr Shaumbwako, marked **'AF 7'**;

13.16.2 The South African Driving Licence of Mr Shaumbwako, marked **'AF 8'**;

13.16.3 The South African Identity Document of Mr Shaumbwako, marked **'AF 9'**;

13.16.4 The South African Identity Card of Mr Mukekeni, marked **'AF 10'**;

13.16.5 The Namibian Passport of Mr Shikongo, marked **'AF 11'**;

13.16.6 The South African Identity Card of Mr David, marked **'AF 12'**;

13.16.7 The South African Driving Licence of Mr David, marked **'AF 13'**; and,

13.16.8 The Namibian Identity Card of Mr Afrikaner, marked **'AF 14'**;

13.17 The stolen US$ were exchanged for South African Rands at an informal foreign exchange service ordinarily run by persons of Chinese nationality, situated at 25 Hout Street, Cape Town. (A copy of a photograph of the said business is annexed hereto marked **'AF 15'**).

13.18 The alleged suspects had thereafter commenced spending the stolen loot on various high-end purchases and cash deposits into bank accounts. (Attached hereto is a copy of a handwritten note compiled by one of the investigators in the team constituted by Major General Rhoode, marked **'AF 16'**, which provides a scant breakdown of how some of the money was spent).

13.19 On 14 February 2020 Mr Mukekeni had purchased a 2019 Ford Ranger 2.0TDCi Wildtrak 4x4 bakkie, which he insured through King Price Insurance. (Copies of the relevant documents in confirmation hereof,

including a photograph, is annexed hereto and respectively marked, '**AF 17(1)**' to **AF 17(3)**'.

13.20 On 15 February 2020 Mr Shikongo transferred R300 000-00 (Three Hundred Thousand Rand from his Gold Cheque Account held at First National Bank to Barons, Culemborg and a further R415 000-00 (Four Hundred and Fifteen Thousand Rand), again to Barons, Culemborg on 16 February 2020. Copies of the transactions are annexed hereto respectively marked '**AF 18**' and '**AF 19**'.

13.21 A red Volkswagen GTI was subsequently registered in Mr Shaumbwako's name on 19 February 2020. Copies of the relevant documents are annexed hereto marked '**AF 20**. and '**AF 21**'. Attached hereto are three further pictures of some of the suspects with new vehicles, marked '**AF 22 (1)**' to '**AF 22(3)**'. Also included in the removable flash drive (marked '**AF 4**' herein) is a video of one of the suspects and a red Volkswagen Golf with registration number CAA 148 – 219.

13.22 Another suspect was traced and found to have fled to Namibia.

13.23 President Ramaphosa sought the assistance of the President of Namibia, President Hage Geingob in apprehending the suspect in Namibia.

13.24 This resulted in Major General Rhoode traveling to Namibia where the suspect was interviewed and stolen monies seized from him. Major General Rhoode had travelled to Namibia utilising official government resources and had not been legally processed through border control to have left the country nor that he returned to the country.

13.25 A person named Mandla Ofentse had sent a message to an unknown person on or about 27 February 2020 advising '*I have information about those who stole in phala phala but scared for my safety.*' A copy thereof is annexed hereto marked '**AF 23**'.

13.26 A message was forwarded to Major General Rhoode containing pictures of one of the suspects. A copy of the screenshot of the telephone in confirmation thereof is annexed hereto marked '**AF 24**'.

13.27 Numerous screenshots of text messages between a woman named Precious Moloto (who seemed to know the alleged suspects and investigators) and unknown persons, detailing attempts to trace the suspects in relation to the theft at Phala Phala is annexed hereto marked '**AF 25**'.

13.28 After interrogating Mr Shaumbwako; Mr Muhekeni; Mr Shikongo; Mr David; and Mr Afrikaner, Major General Rhoode's team confiscated large sums of money and valuables from these suspects.

13.29 Major General Rhoode and his team, on the instruction of President Ramaphosa paid Mr Shaumbwako; Mr Muhekeni; Mr Shikongo; Mr David; and Mr Afrikaner R150 000-00 (One Hundred and Fifty Thousand Rand) each in cash to conceal the events that took place at Phala Phala on 9 February 2020.

14. As the first citizen of the Republic of South Africa, President Ramaphosa has a duty to uphold and respect the rule of law, due process, our constitutional values and most importantly, his oath of office. President Ramaphosa took an oath to protect and uphold the Constitution and the laws of the Republic. The same applies to Major General Rhoode.

15. The mere fact that President Ramaphosa had large undisclosed sums of foreign currency in the form of US$ concealed in his furniture at his Phala Phala residence is *prima facie* proof of money laundering in contravention of section 4 of the Prevention of Organised Crime Act No. 121 of 1998 ('POCA'). In this regard it is prudent for the SAPS to establish the origins of these large sums of foreign currency. The President's conduct may also amount to a contravention of section 36 of the General Law Amendment Act No. 62 of 1955 (i.e. unexplained possession of suspected stolen goods) and contraventions of our various fiscal, currency and exchange control and custom and excise laws and regulations.

16. Similarly, Major General Rhoode's conduct in assisting both President Ramaphosa; Mr Shaumbwako; Mr Muhekeni; Mr Shikongo; Mr David; and Mr Afrikaner, falls foul of section 5 of POCA.

17. The payment by President Ramaphosa, Major General Rhoode and his team of R150 000 (One Hundred Thousand Rand) in cash each to the domestic worker; Mr Shaumbwako; Mr Muhekeni; Mr Shikongo; Mr David; and Mr Afrikaner to not divulge any information in relation to the huge sums of US$ taken from President Ramaphosa's Phala Phala residence, where same was concealed, not only amounts to corruption in contravention of the Prevention of Corrupt Activities Act No. 12 of 2004, but is also intended to defeat and/or obstruct the course of justice.

18. It is further evident from the conduct of Major General Rhoode and his team, acting at the instance of President Ramaphosa, having forcefully interrogated the alleged suspects, that their conduct amounts to kidnapping, in that they unlawfully and intentionally deprived the alleged suspects of their respective personal freedom of movement and constitutional rights.

CONCLUSION

19. In light of the above information which was brought to my attention, I request the SAPS to investigate the allegations herein and reiterate my availability to render any further assistance herewith as may be required.

I KNOW AND UNDERSTAND THE CONTENTS OF THIS STATEMENT
I HAVE NO OBJECTION TO TAKING THE PRESCRIBED OATH
I CONSIDER THE PRESCRIBED OATH TO BE BINDING ON MY CONSCIENCE.

SIGNED..... AT ROSEBANK ON 2022/09/07
DATE

ARTHUR JOSPEH PETER FRASER

I **HEREBY CERTIFY** That the deponent has acknowledged that he knows and understands the contents of this affidavit, which was signed and sworn to before me, a Commissioner of Oaths, at Rosebank on this the 1st day Of JUNE 2022, The Regulations Contained In Government Notice No. R1258 Of 21 July 1972, As Amended, And Government Notice No. R1648 Of 19 August 1977, As Amended, Having Been Complied With.

1792853-2

SIGNATURE: Sgt

FULL NAMES: Matome Josias Sebepedi

COMMISSIONER OF OATHS

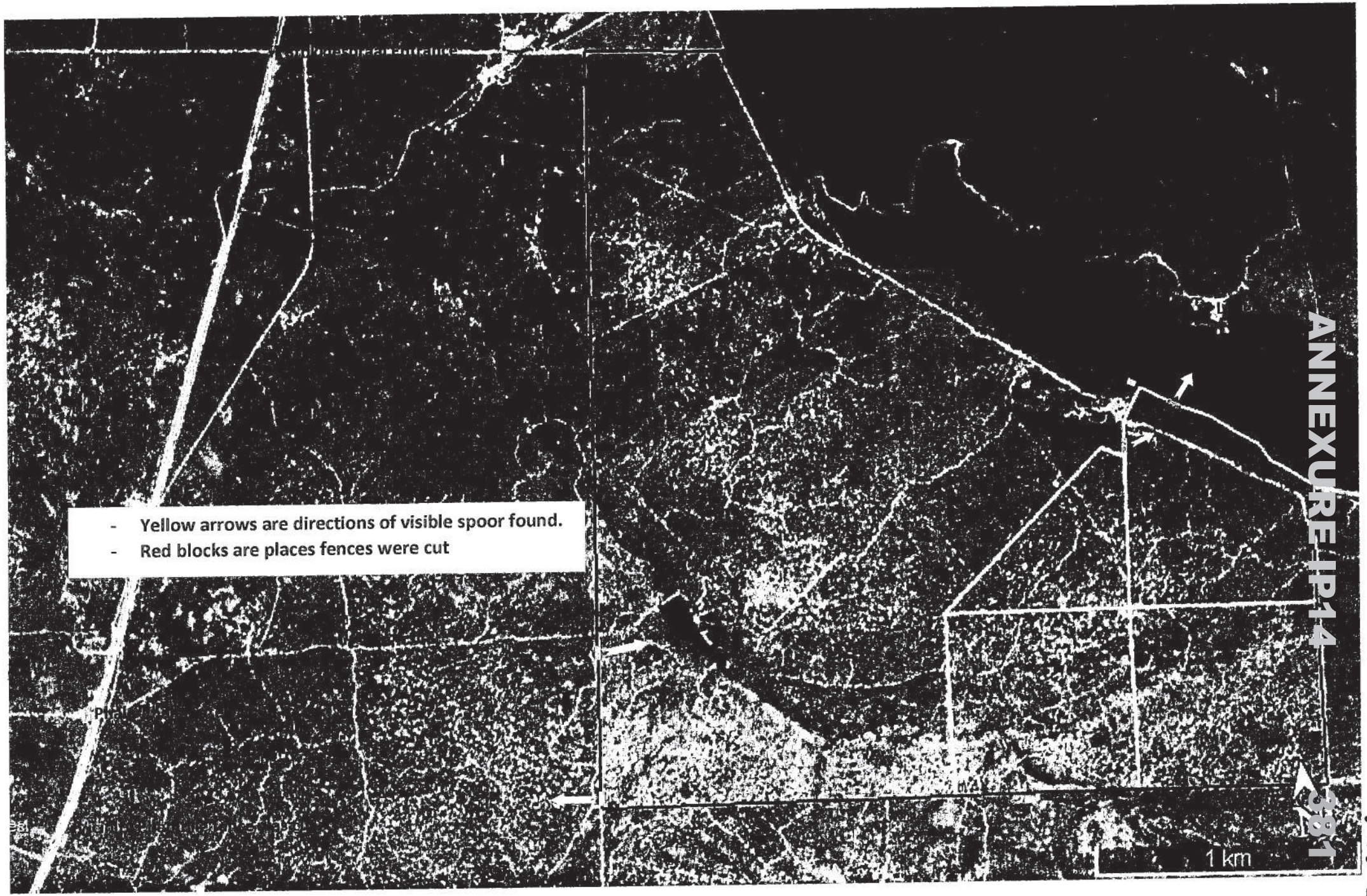
REPUBLIC OF SOUTH AFRICA

EX OFFICIO:

RANK: Sergeant SAPS

ADDRESS: 15 - Sturdee Avenue
Rosebank JHB
Gauteng

SOUTH AFRICAN POLICE SERVICE
CLIENT SERVICE CENTRE
2022 -06- 01
CSC
ROSEBANK
SUID-AFRIKAANSE POLISIEDIENS



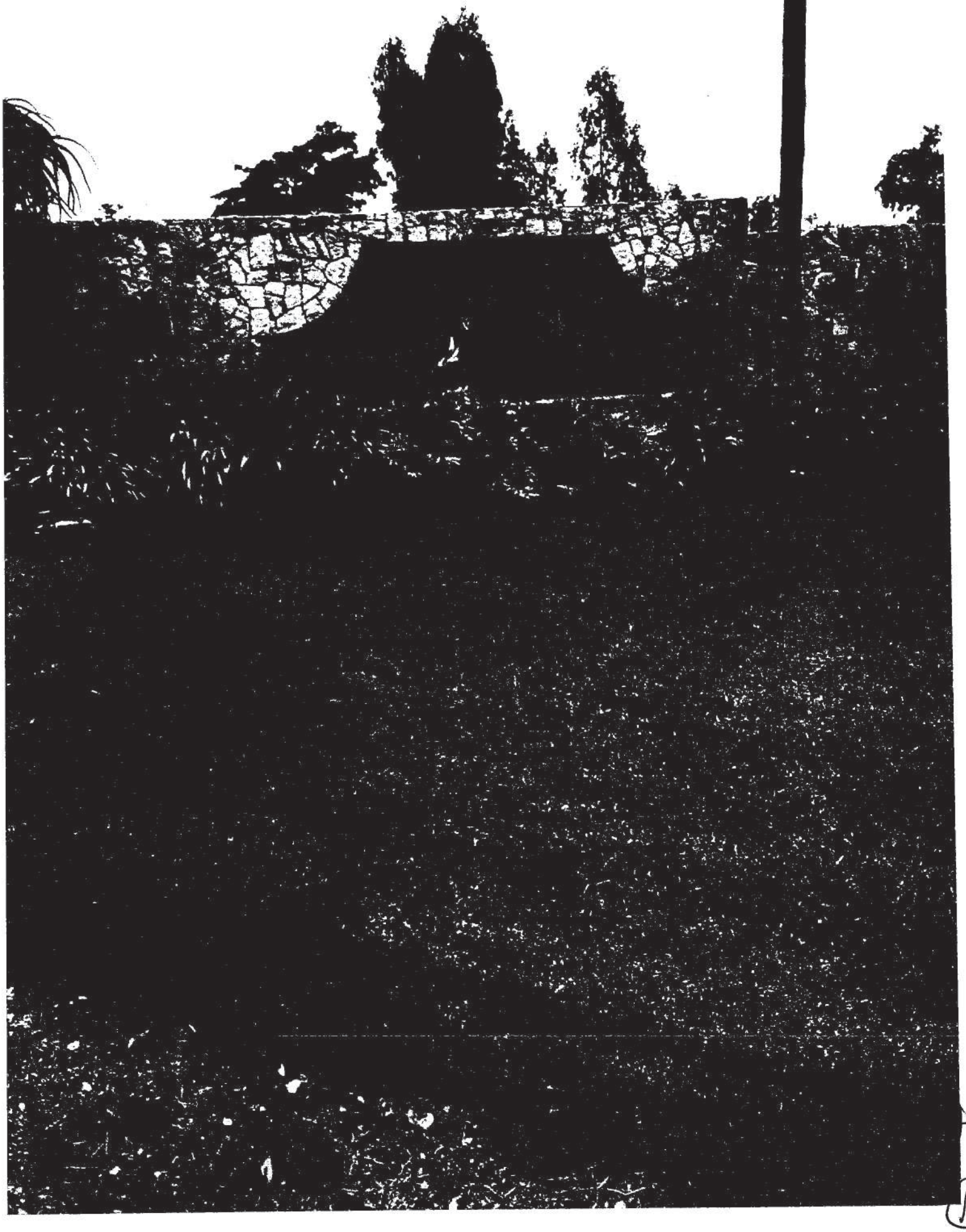
ANNEXURE IP14

"AF 1"

"AF1.1"

ANNEXURE IP14

382



"AF2"

ANNEXURE IP14

383

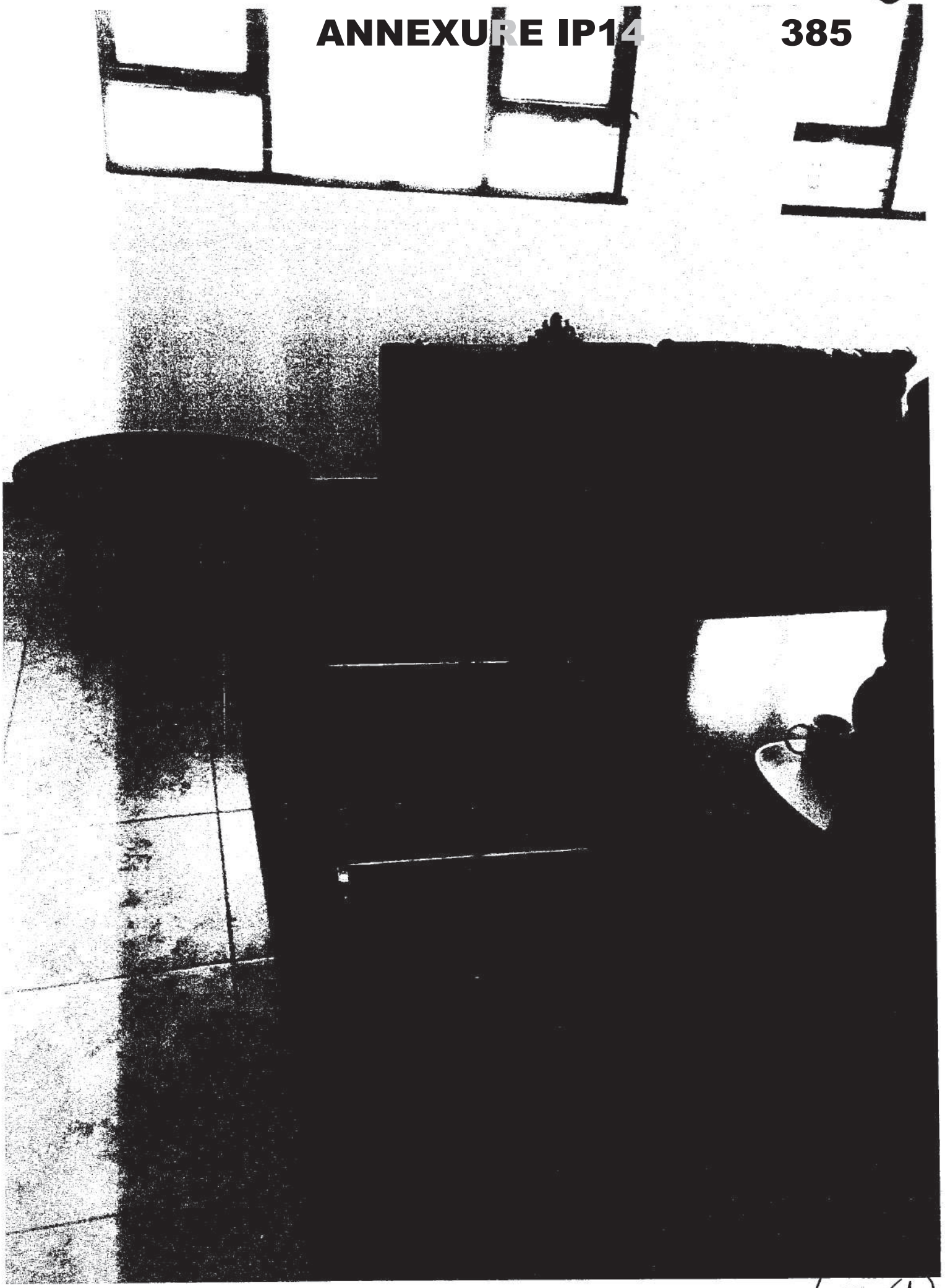
"AF3"

ANNEXURE IP14 384

"AF5"

ANNEXURE IP14

385



"AF6"

ANNEXURE IP14 386

"AF7"

ANNEXURE IP14 387

REPUBLIC OF NAMIBIA

ORDINARY PASSPORT
PASSEPORT ORDINAIRE

P NAM P0763890

SHAUMBWAKO

URBANUS LOMBOLENI

NAMIBIAN

05 AUG/AOÛT 83 83080510283

M ARANDIS

10 JUL/JUIL 17 MINISTRY OF HOME AFFAIRS

10 JUL/JUIL 22

P<NA[illegible]MBWAKO<<URBANUS<LOMBOLENI<<<<<<<<<<<
P0763890<NAM8308056M2207098830805102 83<<<04

ellenbosch "Inni-Bosch Vinni-Bosch"
Tel.: 021 861 5000
New & Pre-owned Vehicle Sales
Finance & Insurance
Service & Maintenance Plans

Windmeul Ingenieurswerke
engineering & consulting fir
specializing in mechanical
engineering, manufacturing,
well as the design and evalu
mechanical engineer

"AF8"

DRIVING LICENCE

SADC

ZA

SOUTH AFRICA

CARTA DE CONDUCAO

LIL SHAUMBWAKO

ID No. 02/8306056333189

Birth 05/08/1983 ZA

Licence Number

Valid 12/04/2018 11/04/2023

Issued ZA

Code

Vehicle restriction 0

First Issue 13/01/2015

Prof. driving permit G.P.

Expiry date 10/04/2020

"AF9"

1

I.D.No. 830805 6333 18 9

NIE S.A.BURGER/NON S.A.CITIZEN

VAN/SURNAME
SHAUMBWAKO

VOORNAME/FORENAMES
URBANUS LOMBOLENI

GEBOORTEDISTRIK OF-LAND/
DISTRICT OR COUNTRY OF BIRTH
NAMIBIA

GEBOORTEDATUM/
DATE OF BIRTH
1983-08-05

DATUM UITGEREIK
DATE ISSUED
2009-12-17

UITGEREIK OP GESAG VAN DIE
DIREKTEUR-GENERAAL:
BINNELANDSE SAKE

ISSUED BY AUTHORITY OF THE
DIRECTOR-GENERAL:
INTERIOR AFFAIRS

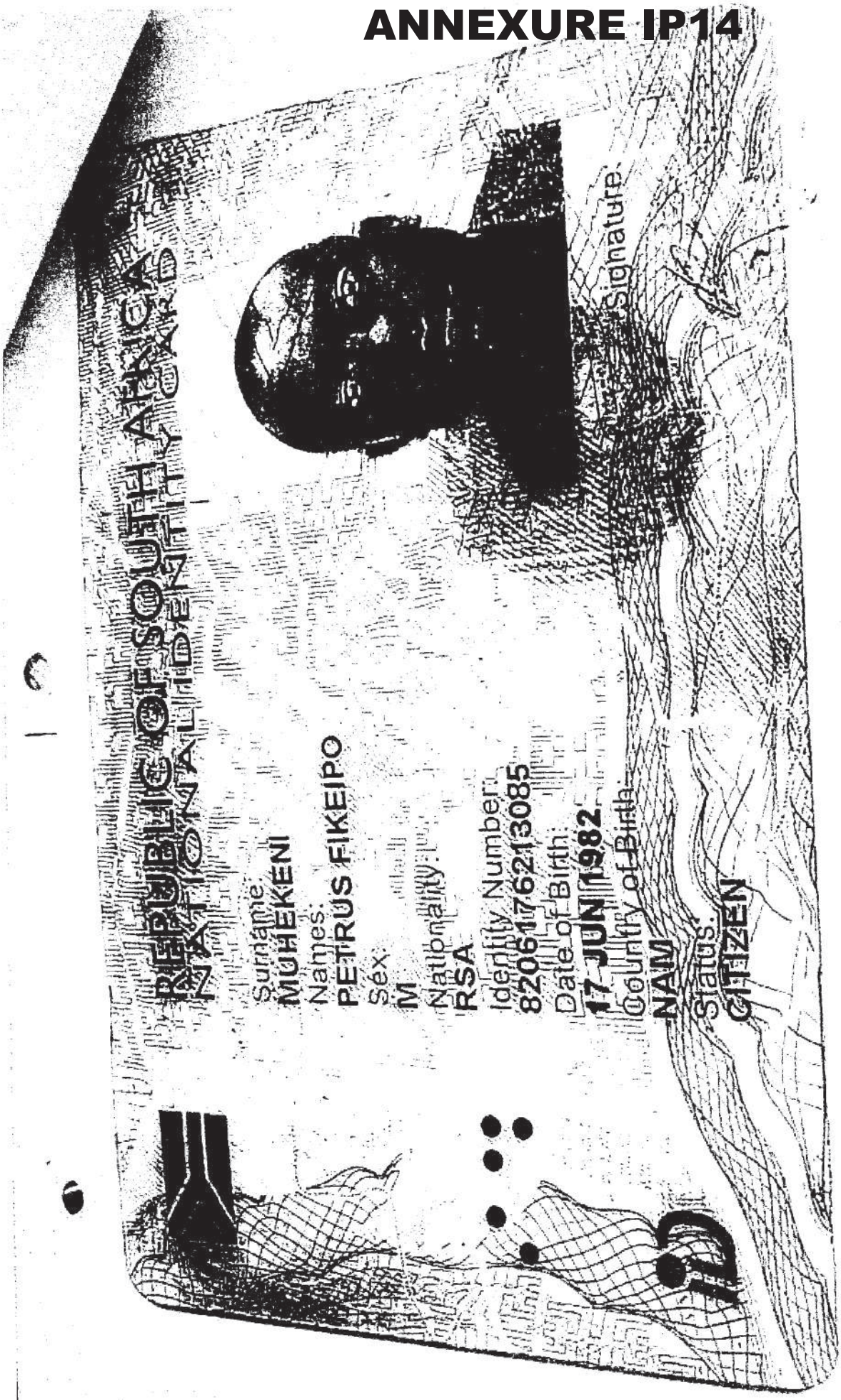
PASS

Cleaning
CLEANING SERVICES

"AF10

ANNEXURE IP14

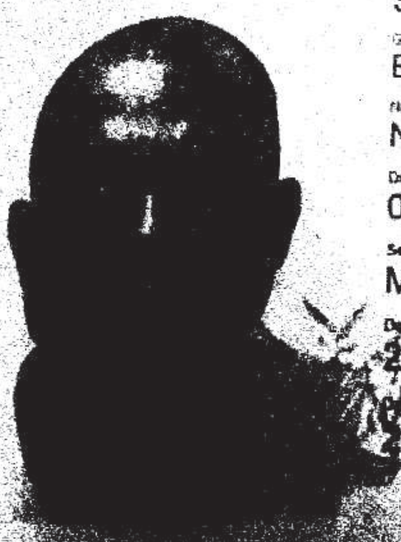
390



on this page!

REPUBLIC OF NAMIBIA

ORDINARY PASSPORT
PASSEPORT ORDINAIRE



Type/Type: P
Code of issuing State/Code de l'Etat émetteur: NAM
Passport No/Passeport No: P0772561

Surname/Nom: SHIKONGO

Given names/Prénoms: ERKKI

Nationality/Nationalité: NAMIBIAN

Date of birth/Date de naissance: 02 NOV/NOV 79

Identity No/No identité: 79110210431

Sex/Sexe: M

Place of birth/Lieu de naissance: ONAAME

Date of issue/Date de délivrance: 22 AUG/AOÛT 17

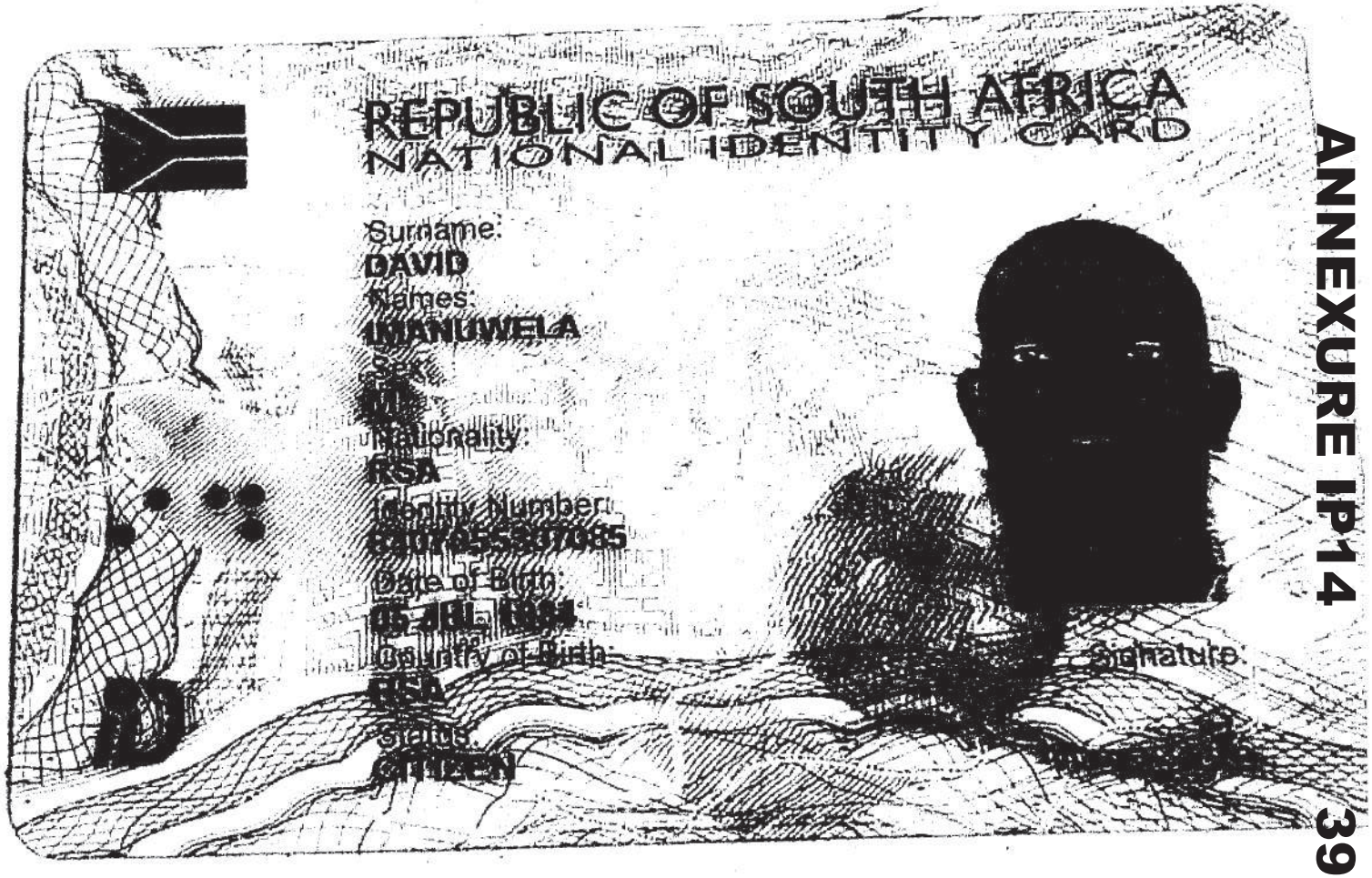
Authority/Autorité: MINISTRY OF HOME AF

Date of Expiry/Date d'expiration: 21 AUG/AOÛT 22

Holder's Signature/Signature du titulaire

ERKKI<<<<<<<<<<<<<<<<<<<<<<<<

1026M22082137911021043 1<



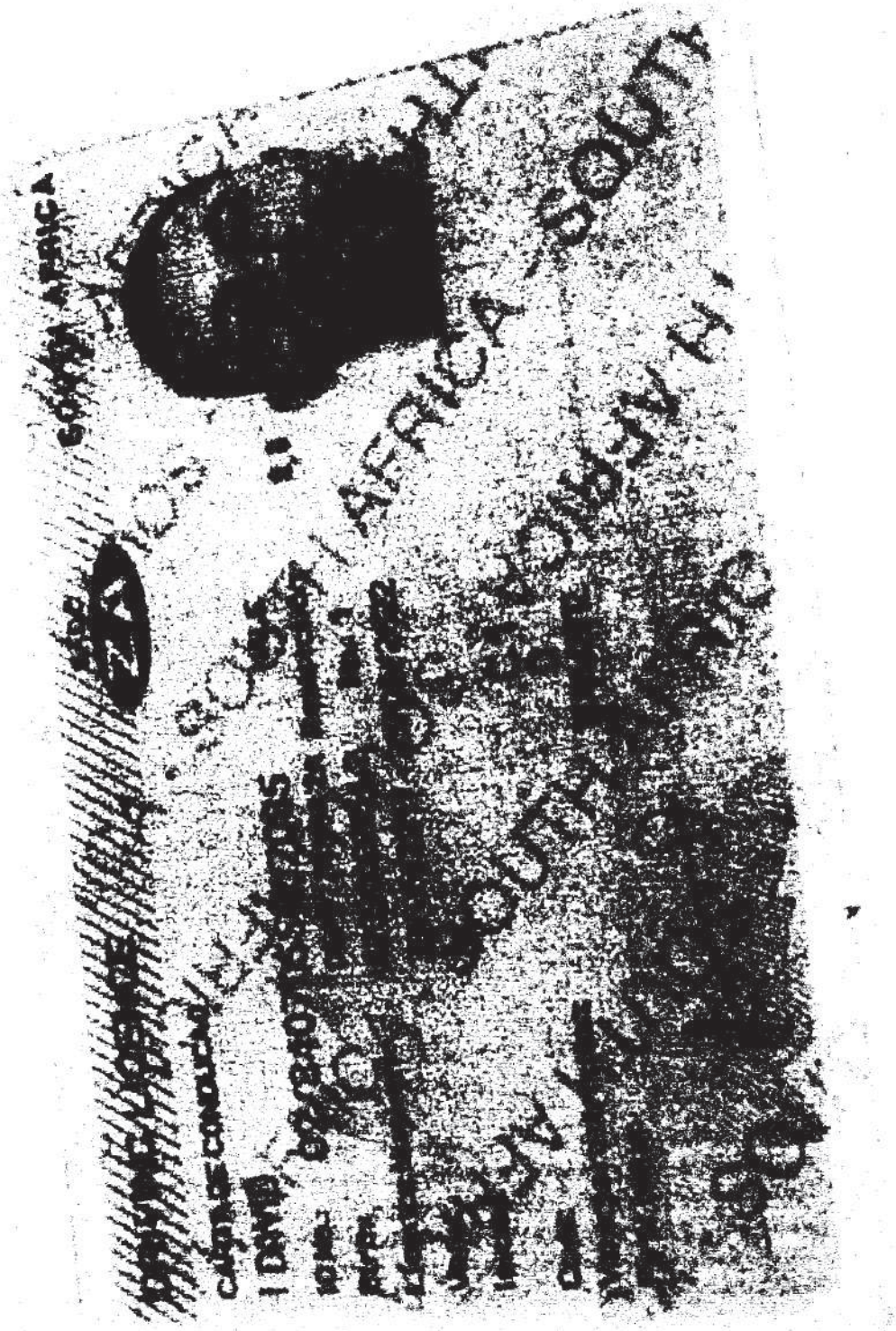
ANNEXURE IP14 392

"AF12"

"AF13"

ANNEXURE IP14

393



"AF14"

ANNEXURE IP14 394

REPUBLIC OF NAMIBIA

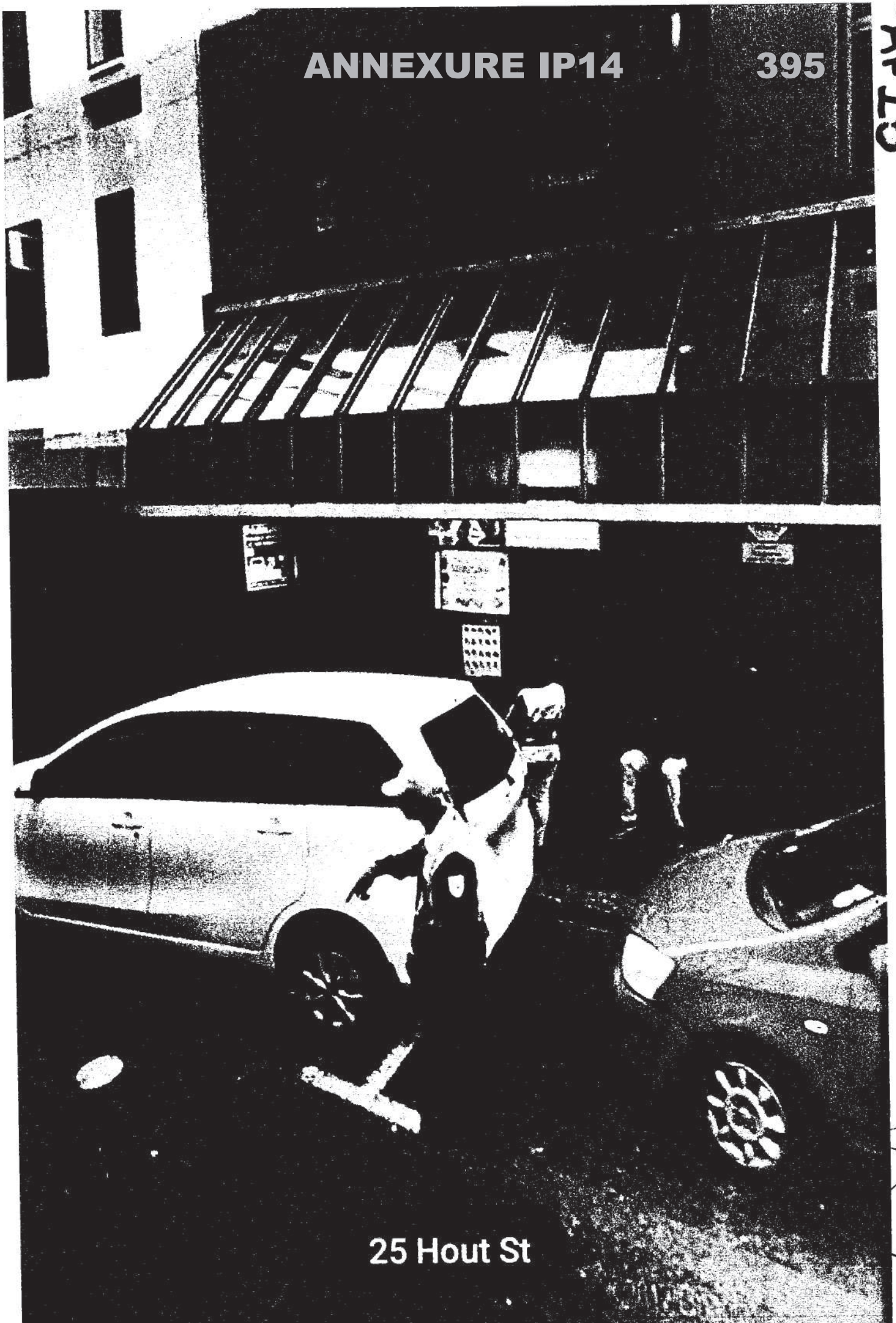
NATIONAL IDENTITY CARD

NO 860901 0064 1

SURNAME
AFRIKANER

FIRST NAME(S)
PETRUS

"AF15"



FRI

OMAKA TRAVEL

URBONUS

FNB

[redacted]

R150 k x 2

TOTAL R300 000

5/3/2020

R400 000

R800 000

R400 000

10/3/2020

R1 million

11/3/2020

R1 million

R30 k

R15 k

R715 k

R1 million

MR I DAVIDS

TRANSFER

R222 000

January -

opening Acc in FNB

Cash deposit 12/02/

R150 k

R150 k

Balance R1·75 Million

R 28

60 168 R238

80 40

10

Auto Lenty Auto

FNB

[redacted]

13/02/2020

[redacted] R579 k

"AF17-1"

ANNEXURE IP14 397

Customers experience Ford C

Republic of South Africa

MOTOR VEHICLE LICENCE AND LICENCE DISC
(National Road Traffic Act, 1996)

Republiek van Suid-Afrika

MOTORVOERTUIGLISENSIE EN LISENSIESKYF
(Nasionale Padverkeerswet, 1996)

PF MUHEKENI
2134 MOLOKWANE STREET
IMIZAMO YETHU

MANDELA PARK
HOUT BAY
7806

Vehicle register number	BDY143X	Voertuigregisternommer
Licence number	CAA136971	Lisensienommer
Vehicle identification number (VIN)	AFAPXXMJ2PKT39256	Voertuigidentifisiernommer (VIN)
Engine number	YN2LPKT39256	Enjinnommer
Make	FORD	Fabrikaat
Series name	RANGER	Reeksnaam
Vehicle category	Light load vehicle (GVM 3500Kg or less)	Voertuigkategorie
Driver	Self-propelled / Selfgedrewe	Aandryving
Vehicle description	Pick-up / Bakkie	Voertuigbeskrywing
Tare (T) kg/Roadworthy Test Date	2189 / 2020-02-13	Tara (T) kg/Padwaardigheidstoetsdatum
National Vehicle Classification (NVC)	X131F08080500021003006015020022 1	Nasionale Voertuigklassifikasie (NVK)
Registering authority	City of Cape Town	Registrasie overheid
Control number	1001056BPSLR	Beheernommer
Date of expiry	2021-01-31	Vervaldatum
RECEIPT		**KWITANSIE**
Receipt number	1001056J2RBR	Kwitansienommer
Transaction	Licensing S 2.2 / Lisensiering S 2.2	Transaksie
Debt paid	R0.00	Skuld betaal
Fee paid	R402.50	Fooi betaal
Transaction fee paid	R72.00	Transaksie fooi betaal
Total amount paid	R474.50	Totale bedrag betaal
Date	2020-02-20	Datum
Received by	BMS NYEKA	Ontvang deur
Method of payment	Multiple adding / Veelvoudige optelling	Metode van betaling
Number		Nommer

LISENSIESKYF
RSA
NO. 1001056BPSLR NR.
CAA136971 BDY143X
VIN AFAPXXMJ2PKT39256 2.2
YN2LPKT39256 3500kg
FORD 2189 kg
2020-02-13
005 000
2021-01-31
LICENCE DISC

INSTRUCTIONS

1. Cut out disc and affix to the lower left hand corner on the inside of windscreen or disc holder as per Regulation 36.
2. Retain the motor vehicle licence/receipt in a safe place.

AANWYSINGS

1. Knip die skyfie uit en bevestig dit onskant aan die linker onderkant van die windskerm of skyfhouer soos per Regulasie 36.
2. Bewaar die motorvoertuig lisensiewitansie/ontvangsbewys op 'n veilige plek.

RM 611384

ANNEXURE IP14

398

"AF17-2"

KingPrice INSURANCE

Confirmation of cover

Car insurance

Dear Royal Recipient

It's with great pleasure and pride that the King hereby confirms that the following client has joined our royal family and is covered by King Price insurance:

Name	Petrus Fikeito Mahekeni	**Policy start date**	[illegible]
ID no.	[illegible]	**Physical address**	[illegible]
Phone no.	[illegible]		
Email	[illegible]		
Policy no.	[illegible]		

Summary of car insurance cover

Car details	2019 FORD RANGER 2.0TDCi WILDTRAK 4X4 A/T [illegible]
Registered owner	Mr Petrus Fikeito Mahekeni
Regular driver	Petrus Fikeito Mahekeni
Cover	Comprehensive
Cover start date	2020-02-14
Engine no	KT39256
Chassis no	AFAPXXMJ2PKT39256
Registration no	TBA
Financed by	
Insured value	Retail
Sasria incl	Yes
Liability to other parties	R 3,000,000.00

Should you require any further information please feel free to just drop us an email [illegible]

Royal regards,

KP

ANNEXURE IP14

"AF17-3"

399

ANNEXURE IP14

"AF18"
400

NOTIFICATION OF PAYMENT

To Whom It May Concern,

First National Bank hereby confirms that the following payment instruction has been received:

Date Actioned	15 Feb 2020
Time Actioned	12 30 50
Trace ID	VODS8WYG8WCG
Payer Details	
Payment From	Mr Erkki Shikongo - FNB Gold Cheque Account
Cur/Amount	ZAR300.000 00
Payee Details	
Name	Barons Culemborg
Bank	
Branch Code	
Reference	Erkki Shikongo

END OF NOTIFICATION

For more information on this Notification, please visit the First National Bank website at fnb.co.za

Thank You!
Your Payment was successful
Ref VODSFY6V8XCG

Ref	VODSFY6V8XCG
Date	16-Feb-2020
Time	10:59:39

Payment History Details

Payment From
FNB Gold Cheque Account
62803376054

Last Payment Account

Account Name
FNB Gold Cheque Account

Account Number
62803376054

Recipient Details

Payment Name
Barons Culemborg

Account Number

Public Recipient Description
Barons Culemborg

Country
South Africa

References

My Reference
Barons Culemborg

Amount
415,000.00

Their References
Erkki Shikongo

ANNEXURE IP14

"AF19"
401

"AF20"

ANNEXURE IP14 402

MVL1CC(2H2008/02)

Republic of South Africa

MOTOR VEHICLE LICENCE
AND LICENCE DISC
(National Road Traffic Act, 1996)

MOTORVOERTUIGLISENSIE
EN LISENSIESKYF
(Nasionale Padverkeerswet, 1996)

UL SHAUMBWAKO
6950 MYICA ROAD
LOWER CROSSROAD

PHILLIPI
CAPE TOWN
7785

ehicle register number	HTR035K	Voertuigregiste
cence number	CAA136496	Lisensi
hicle identification number (VIN)	WVWZZZAUZLW064509	Voertuigidentifikasienom
gine number	DJH077695	En
ke	VOLKSWAGEN	
ies name	VW 370 - GOLF	
hicle category	Light passenger mv(less than 12 persons)	Voert
ven	Self-propelled / Selfgedrewe	
icle description	Hatch back / Luikrug	Voertui
(T): kg/Roadworthy Test Date	1417 /	Tarra (T): kg/Padwaardighei
onal icle Classification (NVC)	B118V0417050001400200002201 90122	Voertuigklass
stering authority	City of Cape Town	Registr
rol number	1001056BPJVT	
of expiry	2021-01-31	
EIPT		K
ipt number	1001056J2H6X	
saction	Licensing S 2.2 / Lisensiering S 2.2	
paid	R0.00	
aid	R558.00	Tran
action fee paid	R72.00	Tot
amount paid	R630.00	
	2020-02-19	
ved by	J KITSHOFF	M
d of payment	Multiple adding / Veelvoudige optelling	
er		

LISENSIESKYF
RSA
NO. 1001056BPJVT NR.

Licence no. / Lisensie nr. CAA136496 Veh. register no. / Vrt.register nr. HTR035K
VIN WVWZZZAUZLW064509 Fees/Gelde 2.2
Engine no. / Enjinnr. DJH077695 GVM/BVM 2020kg
Tare/Tarra 1417 kg

INSTRUCTIONS

1. Cut out disc and affix to the lower left-hand corner on the inside of windscreen or disc holder as per Regulation 36.

AAN

1. Knip d
binnekant
van die w
sgos per

12:31

"AF21"

ANNEXURE IP14 403

Vehicle Circulatio...
164.151.129.231

Vehicle Circulation Details

irculation Status: No record (NOT stolen)

Case:

Reg: CAA148219

Engine: CJX095445

Chassis: WVWZZZAUZGW178595

Type: LAND/SEDAN/ HATCHBACK/ COUPE

Make: VOLKSWAGEN

Colour: RED

IDNun 8308056333189

Surname: SHAUMBWAKO

Initials: UL

Addr.1: 6950 MYICA ROAD

Addr.2: LOWER CROSSROAD

Addr.3: PHILLIPI

eh | Pers | F/Arm | Cell | Back | Logof

"AF21-1"

ANNEXURE IP14

404

"AF22-1"

ANNEXURE IP14

405

"AF22-2"

ANNEXURE IP14

406

"AF 22-3"

ANNEXURE IP14

"AF 23"

ANNEXURE IP14

408

Mandla Ofentse

Add details and labels

Mandla Ofentse

2 mutual friends: Hafex Fredd, Hiljah Malakia

Hi how a u

I have information about those who stole in phala phala but scared for my safety

"AF24"

ANNEXURE IP14 409

Vodacom 4G 19:31 54%

Wally

seen today at 19:10

Forwarded

Forwarded

"AF 25-1

410

ANNEXURE IP14

MTN-SA 63% 16:43

Text Only (20MB/day)

Precious Moloto

Active now

You're not connected on Facebook

Hello

12:28

You can now call each other and see information like Active Status and when you've read messages.

Hi

15:16

Who are u

Someone trying to help you, are you aware they caught shooya now?

Type a message

MTN-SA 62% 16:45

"AF25-2
411

ANNEXURE IP14

Text Only (20MB/day)

Precious Moloto
Active now

I know the people working on this case, they have approched people i know to gry assist them. They have people they pay almost everywhere you guys were spotted to give them information when they see you guys

Type a message

OK | Ewe

1 2 3 4 5 6 7 8 9 0

Q W E R T Y U I O P

A S D F G H J K L

Z X C V B N M

123

MTN-SA 4G 62% 16:47

ANNEXURE IP14 412

Text Only (20MB/day)

"AF 25-3"

Precious Moloto
is typing...

I know the people working on this case, they have approched people i know to gry assist them. They have people they pay almost everywhere you guys were spotted to give them information when they see you guys

Now they want to trap the one in limpopo because he wants to exchange his last dollars

Im only telling you because i hate tjat they are usinv innocent people

MTN-SA 63% 16:38

"AF25-4"
413

ANNEXURE IP14

Text Only (20MB/day)

Precious Moloto
Active now

Older messages

The reason i can't call with my number is because your phones are monitored and that's how tbey know your locations and who you communicate with

Your ex Asanda is the one feeding them most information about you because she says you changed on her and started cheating on her so she is bitter

I can't say much here but i just wanted to give you heads up, its not safe

If i get hold of screenshots i will send to you

Type a message

ANNEXURE IP14

Text Only (20MB/day)

Precious Moloto
Active now

They caught where how
what happened

Now if shooya is weak he will reveal where all of you are

Already i heard this vuys sayong they havs info that one guy is in limpopo and he wants to change his las dollars, one is in rusternburg etc

The reason i can't call with my number is because your phones are monitored and that's how tbey know your locations and who you communicate with

Your ex Asanda is the one feeding them most information about you because she says you

Type a message

MTN-SA 63% 16:44

"AF25-6"

415

ANNEXURE IP14

Text Only (20MB/day)

Precious Moloto
is typing...

Precious removed a message

Everytime the small david tries to meet with imanuwela its because the guys sent him so that they can catch him since they say his everywhere and can't catch him

Apparently one of you gugs was in namibia and only came back for court case

Where did u get this information

Precious is typing...

Type a message

MTN-SA 60% 16:58

Text Only (20MB/day)

ANNEXURE IP14

Precious Moloto
Active now

Precious removed a message

When i called you i told you that they were looking for someone they got a tip of he was in parklands bjt you thought i wad crazy. Yoh could have saved him

If i were you i would change my sim card and phone because that's how they trace all of you

They are working with people from different networks so if they know your number they can easily check your ups and downs

Type a message

Telephone: +27 (21) 403 8637
Fax: +27 (21) 403 2525

bholomisa@parliament.gov.za
jana@udm.org.za

PARLIAMENT
OF THE REPUBLIC OF SOUTH AFRICA

National Assembly
PO Box 15
Cape Town
8000

Offices of the United Democratic Movement
5th Floor Marks Building
Parliament
Cape Town

24 October 2022

Section 89 Independent Panel
National Assembly of the Republic of South Africa
PO Box 15
Cape Town
8000

Dear Honourable Chairperson

Preliminary inquiry by the Section 89 Independent Panel: submission in terms of the invitation for members of the National Assembly

1. In line with the invitation for any member of the National Assembly to submit information in terms of the Timetable for the conduct of the preliminary inquiry initiated by the National Assembly to remove the President in terms of section 89 of the Constitution of the Republic of South Africa, I would like to submit the attached letter purportedly written to the Directorate for Priority Crime Investigation ('Hawks') by Mr Arthur Fraser on 23 June 2022.

2. From reading it, one concludes that Mr Fraser has provided the Hawks with additional, rather explosive, information regarding the whole matter in addition to his now well-publicised affidavit of 1 June 2022.

3. The big question about where the money came from i.e. the clarification from the Presidency that it was from the sale of animals, seems to be disputed in the letter.

   You will see in the letter that one of the President's closest advisors was "... *ostensibly instrumental in illegally bringing large sums of US $ into South Africa for both he and the President after returning from trips he undertook on behalf of President Ramaphosa to various countries,* inter alia, *including, Saudi Arabia, Qatar, Egypt, Morocco and Equatorial Guinea.*"

   This spine-chilling allegation, if true, shows that we are in much greater trouble than we thought if South African citizens can so easily transport foreign currency across our borders.

4. It is clear that the veracity of the information provided, and the allegations made, in the letter should be investigated by the Independent Panel. The Hawks should shed some light on what has transpired in terms of their actions taken subsequent to receiving this additional information. Such steps will surely be of assistance to the Independent Panel and their work.

5. There appears to be a concerted effort, either with the knowledge and blessing of the President or only in his name, to distort information and cover-up what really happened at the time of the alleged robbery and any subsequent actions (or inaction) taken by the various stakeholders to cover up the incident.

6. After having read the information in this letter, it has become more apparent that, if it had not been for this Independent Panel's formation and expected work, this whole incident might have been somehow swept under the carpet.

Yours sincerely

Mr Bantu Holomisa, MP
President of the United Democratic Movement

PARLIAMENT
OF THE REPUBLIC OF SOUTH AFRICA

AFRICAN TRANSFORMATION MOVEMENT
TRANSFORMING SOCIETY FOR A BETTER TOMORROW

ATT: The Chairperson
Justice S Ngcobo
The Section 89 Independent Panel
Parliament of South Africa
100 Plein Street
Cape Town

27 October 2022

To: The Independent Section 89 Panel.

SUPPLEMENTARY EVIDENCE: ATM MOTION OF IMPEACHMENT ENQUIRY OF THE PRESIDENT OF THE RSA, IN TERMS OF RULE 129A OF THE RULES OF THE NATIONAL ASSEMBLY

PREAMBLE

The ATM appreciates the opportunity to supplement its motion. The ATM accordingly supplements as follows:

KINDLY TAKE NOTE THAT:

The African Transformation Movement, **"ATM,"** seeks to supplement its motion of impeachment through this submission of additional evidence submitted in terms of **Rule 129(G)(1)** to further strengthen the basis of the charges as contained in the s89 motion to impeach the President of the Republic of South Africa, Mr Cyril Ramaphosa.

1. **KINDLY TAKE NOTE FURTHER THAT** the entire evidence report and narrative accompanying each aspect of the evidence relied upon herein is attached in the additional report marked as "**A1**".

2. The purpose of this elaborate collation of data referred to above is to support the ATM's contentions in respect of all charges listed in its motion and to assist the panel to contextualise the entire case.

1.1A **Supplementary evidence to Charge 1: Serious violation of the Constitution – Violation of Section 96(2)(a)**

1.1.1 Charge 1: Serious violation of the Law - The President violated His oath of office by violating Section 83 (b) of the constitution which says he: "must uphold, defend and respect the Constitution as the supreme law of the Republic", read with Foreign Currency Exchange laws which require him to inform the South African Reserve Bank when bringing in foreign currency into the country, further read with Exchange Control Regulations of the South African Reserve Bank " **SARB**".

1.1.2 Mr. Ramaphosa is on record admitting that a certain amount of dollars was stolen in his Phalaphala Farm, but was evasive about the exact amount and how that foreign currency got into the country. This was laid bare by the letter from the South African Reserve Bank which also sought to get answers from Mr. Ramaphosa on the origins of this foreign currency and the underlying transaction. If this money had come into the country lawfully the SARB systems would reflect all the pertinent details and there would have been no need for the SARB to be writing to him. Attached is a letter from the SARB dated 30 August 2022 addressed to the Honourable Mr.F. Shivambu (MP) marked as "**ATM1**".

Implicit in this letter is that the SARB is in the dark on the origins, passage of these dollars into South Africa and for what purpose.

PARLIAMENT
OF THE REPUBLIC OF SOUTH AFRICA

1.1B **SERIOUS VIOLATION OF SECTION 96(2)(a) OF THE CONSTITUTION**

1.1.3 Consequently, the only reasonable conclusion to be drawn is that Mr. Ramaphosa is engaged **in paid work**, other than him as the President of the Republic of South Africa.
He conceded that his private paid work/private business is trading in live-stock and game. He even identified some of his customers in the hall during the ANC Provincial Conference in Limpopo whereas the constitution prohibits him from engaging in other paid work.
Whether or not President Ramaphosa declared his business is immaterial for the purposes of Section 96 (2)(a) violation, because this prohibition does not make any exceptions whatsoever. No other Paid word, period!

1.1.4 The above evidence gleaned from the South African Reserve Bank letter, is by default also serving as evidence of **Tax evasion** by Mr. Ramaphosa in that the millions of dollars that the SARB is asking him about as detailed in their letter dated 30 August 2022 also means that the declarations in terms of the South African Revenue Services were not made. This is tantamount to stealing from the poor.

1.1.5 The ATM attaches hereto an audio clip, where Mr Terrence Joubert of the National Prosecuting Authority 'NPA', as he then was, who was part of the investigating team, categorically stating that the stolen **money was US$ 20 million.** Accordingly, the amount of **US$ 20 million** is explicitly mentioned by the investigators on behalf of President Ramaphosa. The Audio clip evidence is attached hereto marked as "**ATM2**".

1.1.6 In the letter from Mr. Arthur Fraser to the Hawks dated 23 June 2022, a startling revelation is made that approximately 3

weeks after the charges were laid against Mr. Ramaphosa, Mr. Chauke (Advisor to Mr. Ramaphosa) is said to have moved **US$ 20 million** in cash to a South African whose identity is disclosed in the letter. This US$ 20million was for safekeeping for himself (Mr. Chauke) and Mr. Ramaphosa. Attached hereto marked as "**ATM3**" is the letter dated 23 June 2022 from Mr. Arthur Fraser addressed to the Hawks/DPCI (Department of Priority Crime Investigations).

1.1.7 Mr. Ramaphosa is on record admitting that certain amount of dollars was stolen in his Phalaphala Farm but was evasive on the exact amount. The above revelations mean he lied when he alleged that he was not sure of the exact amount stolen when in actual fact he knew the amount as articulated by the NPA official acting on his behalf.

2. **Supplementary evidence to charge 3: Serious misconduct – Violation of section 96(2)(b)**

2.1 Mr Ramaphosa acted in bad faith, unlawfully and was conflicted when he suspended Advocate Busisiwe Mkhwebane, the Public Protector.

2.2 ATM contends that he was triggered by the 31 questions relating to the Phalaphala Farm scandal.

2.3 Mr Ramaphosa had known for months about the pending suspension, and he did not act. The matter was also subjudicare as there was a pending judgment on the issue of suspension of the Public Protector. His conduct was therefore for an ulterior purpose and in bad faith, just to save his skin and evade accountability. This conduct is unlawful and in violation of the President's own oath of office.

2.4 The contention of the ATM is corroborated by the judgment of the full bench of the Western Cape High Court in the matter between **The Public Protector vs The President of the Republic of South Africa**, the judgment was delivered on 9th September 2022, and is reported on SAFLII as **(8500/2022) (2022ZAWCHC 180).**

2.5 At paragraph 157 of the judgment referred to above, the full bench held thus:

"[157] In our view, the hurried nature of the suspension of the Applicant in the circumstances, notwithstanding that a judgment of the full court was looming on the same subject matter, leads this court to an ineluctable conclusion that the suspension may have been retaliatory, and hence unlawful. It was certainly tainted by bias of disqualifying kind and perhaps an improper motive. In our view, the President could not bring an unbiased mind to bear as he was conflicted when he suspended the Applicant".

2.6 The ATM submission is that paragraph 157 above of the judgment of the full bench constitutes irrefutable evidence that Mr Ramaphosa went even beyond putting himself in a position that exposes him to the risk of being in conflict between his official duty versus his private interests, the Court judgement is categoric that he was in actual fact conflicted when he suspended Adv Mkhwebane. Advocate Mkhwebane is facing impeachment processes because of judicial comments in judgments. The same should apply to the President, for the law to be seen to be treating everyone equally, and for the interest of justice to be served.

2.7 Attached hereto as "**ATM4**" is the judgment of the full bench of the Western Cape High Court.

PARLIAMENT
OF THE REPUBLIC OF SOUTH AFRICA

3. **Supplementary evidence to charge 4: Serious misconduct – Violation of section 96(2)(b)**

3.1 The President issued an unlawful instruction when directing the Head of the Presidential Protection Unit, General Wally Rhoode to personally investigate the burglary in his farm, instead of directing him to act lawfully in accordance with all the applicable governance and prescripts to report this matter to the relevant authorities.

3.2 Further to our submission in chief, we add that Mr. Ramaphosa failed to observe section 96(2)(b) of the Constitution read with section 83(b) of the Constitution which enjoins him to uphold, defend and respect the Constitution as the Supreme Law of the Republic.

Evidence: Contrary to the misleading response in Parliament during the last Question and Answer session on the 29 September 2022, where Mr. Ramaphosa said he reported the burglary to General Rhoode and basically left it to him in terms of reporting the incident to the Police; General Rhoode in his sworn affidavit, (leaked to the media) commissioned on the 12 July 2022, for the Deputy Public Protector, contradicted Mr. Ramaphosa and said:

> **"On 10 February 2020, I was with President Ramaphosa in Addis Ababa, Ethiopia as part of a delegation of the Republic of South Africa to the African Union ("AU") Summit Meeting. On 10 February 2020, I was summoned to President Ramaphosa's suite in Addis Ababa and he informed me that he had received information that there was an alleged breach of security at his farm named Phalaphala ("the farm") near Bela Bela in**

Limpopo and that I should attend to the breach of security and report back to him. This instruction was to alert me to the incident such that I could properly carry out my duties in respect of protecting the President and the family"

3.3 The ATM makes an emphasis that Gen.Rhoode makes it clear that the expectation was for him to attend to the breach and report back to Mr. Ramaphosa. Basically, Gen. Rhoode was unlawfully instructed to be the law himself instead of reporting the matter to the nearest Police Station or as directed by the South African Police Service Amendment Act of 2012 (Act No 10 of 2012).

To remove any doubt on who exactly was conducting the investigation in defiance of the law and to further confirm Mr. Ramaphosa's complicity and direct involvement in the execution of this unlawful instruction, we refer the panel to an extract from paragraph 18 of Gen. Rhoode's affidavit where he says, **"On 2 March 2020, the President called me to his residence in Hyde Park where he informed me that money from the sale of animals was missing from his residence at the farm."** Attached hereto marked as "**ATM5**" is a copy of Gen. Rhoode's affidavit**.**

Evidence: To prove that Gen. Rhoode's operation was an unlawful under-cover work, it is not accounted for in both the 2019/20 and 200/21 Annual Reports of the South African Police Service.

In Programme 5: **Protection and Security Services**, where the VIP Protection Services is a subprogramme. The two performance indicators:

(i) Percentage of protection provided to VIPs without security breaches (Protection and Security Services; Presidential Protection Services) for in-transit and static protection, and

(ii) Percentage of protection provided at identified government installations and identified VIP residences without security breaches, (Protection and Security Services; Presidential Protection Services),

are both reflected as having been achieved 100%, meaning there were 0% breaches reported. A complete lie.
In other words, the unlawful investigative work on the Phalaphala Farm criminality, from when General Rhoode was assigned on the 10th of February 2020 and subsequent few months including the 25 June 2020 trip to Namibia with Mr. Bejani Chauke (the advisor to Mr. Ramaphosa) was neither officially disclosed nor reported.
It is the ATM submission that this omission to report in the Annual Reports of SAPS by General Rhode [Both Annual Reports signed by the Minister] is concrete proof that his brief from Mr Ramaphosa was an unlawful undercover operation irregularly sanctioned at the highest level. In addition, the mere presence of Mr. Bejani Chauke in the trip to Namibia is further proof that this dirty mission had the blessings of President Ramaphosa. Advisors have no executive function; they always represent their principals.

Evidence: I urge the panel to exercise a judicial notice from 2019/20 and 2020/21 Annual Reports of the South African Police Services, hereto marked as" **ATM6"** and "**ATM7"** respectively.

3.4 Mr Rhoode, as part of the unlawful instruction to investigate the Phalaphala Farm burglary also used state resources to travel to Namibia where he met the Police from Namibia in a place called No

Man's land. The ATM has evidence of this trip to Namibia by way of the press statement issued by Namibian police.

Evidence: Attached hereto and marked as "**ATM7**" is the Media statement from the Namibian Police.

All the above amount to CORRUPTION by Mr. Ramaphosa in that he abused his position in Government and abused state resources for his personal benefit.

3.5 Mr Rhoode and his team's unlawful activities flow from the unlawful instruction from Mr Ramaphosa, where a chain reaction of transgressions including kidnapping, unlawful interrogation of suspects, non-submission of break-in evidence to the Police, and many other transgressions are detailed in Mr Arthur Fraser's Affidavit and annexures as listed hereunder: -

Internal Ref:	85/2022
Date:	27 October 2022
Member submitting:	Vuyolwethu Zungula
Topic:	Supplementary Evidence Catalogue
Intended recipient:	Independent s89 Panel

Label Number:	**Document**
ATM x0	Supplementary Evidence: ATM Motion of Impeachment of the President in terms of Section 129a Of the Rules of the National Assembly
ATM 1	Letter from SARB dated 30 August 2022 addressed to the Honourable Mr N.F. Shivambu (MP)
ATM 2	Audio clip evidence

ATM 3	Letter dated 23 June 2022 from Mr. Arthur Fraser addressed to the Hawks/DPCI
ATM 4	Judgement of the full bench of the Western Cape High Court
ATM 5	General Wally Rhoode's affidavit
ATM 6	SAPS Annual Report 2019/2020
ATM 7	SAPS Annual Report 2020/2021
ATM 8	Media statement from the Namibian Police
A 1	60 Pager Report
ATM 9	Media Statement from the Namibian Police
ATM 10	Arthur Fraser additional letter to DPCI 2022
ATM 11	A Fraser Affidavit Rosebank SAPS 1 June 2022
ATM 12	Topographical Image Fence cut and spoor direction
ATM 13	Photo: Phala Phala Gate
ATM 14	Photo: Phala Phala Fence Cut
ATM 15	Photo: Phala Phala Broken Window
ATM 16	Video: Security cam footage 1
ATM 17	Video: Security cam footage 2
ATM 18	Video: Security cam footage 3
ATM 19	Video: Security cam footage 4
ATM 20	Video: Security cam footage 5
ATM 21	Photo: Suspects 1
ATM 22	Photo: Suspects' Passport
ATM 23	Photo: Suspects Driver's license
ATM 24	Photo: Suspects SA Identity 1
ATM 25	Photo: Suspects SA Identity 2
ATM 26	Photo: Suspects Passport
ATM 27	Photo: Suspects SA Identity
ATM 28	Photo: Suspects Driver's license
ATM 29	Photo: Suspects Namibian Identity

ATM 30	Photo: Fx Exchange
ATM 31	Photo: Handwritten notes
ATM 32	Photo: Purchase of vehicle: Ford Ranger
ATM 33	Photo: Ford Ranger Natis
ATM 34	Photo: Ford Ranger King Price Insurance
ATM 35	Photo: Proof of Payment – FNB
ATM 36	Photo: Proof of Payment – FNB
ATM 37	Photo: Volkswagen Natis
ATM 38	Photo: Volkswagen Circulation Screenshot
ATM 39	Photo: Volkswagen CAA 148-***
ATM 40	Photo: Volkswagen Golf-R Dealership
ATM 41	Photo: Volkswagen Tiguan JZN 038 **
ATM 42	Photo: Tip off message 1
ATM 43	Photo: Tip off message 2
ATM 44	Photo: Tip off message 3
ATM 45	Photo: Tip off message 4
ATM 46	Photo: Tip off message 5
ATM 47	Photo: Tip off message 6
ATM 48	Photo: Tip off message 7
ATM 49	Photo: Tip off message 8
ATM 50	Photo: Tip off message 9
ATM 51	PDF: Arthur Fraser Letter to Public Protector 260822
ATM 52	PDF: Analyst Notebook (Web)
ATM 53	Photo: Suspects Namibian ID 1
ATM 54	Photo: Suspects Namibian ID 2
ATM 55	Photo: Suspects Tied Up 1
ATM 56	Photo: Suspects Tied Up 2
ATM 57	Photo: Suspects Tied Up 3
ATM 58	Photo: Suspects Tied Up 4
ATM 59	Photo: Suspects Tied Up 5
ATM 60	Photo: Suspects Tied Up 6

PARLIAMENT
OF THE REPUBLIC OF SOUTH AFRICA

AFRICAN TRANSFORMATION MOVEMENT
TRANSFORMING SOCIETY FOR A BETTER TOMORROW

SIGNED AND DATED AT CAPE TOWN THIS 27th DAY OF OCTOBER 2022.

,

Hon. Vuyo Zungula (MP)
ATM President

SOUTH AFRICAN POLICE SERVICE

ANNUAL REPORT 2019/2020

COMPILED BY
South African Police Service, Strategic Management

LAYOUT AND DESIGN
South African Police Service, Corporate Communication and Liaison

PHOTOGRAPHS
South African Police Service, Corporate Communication and Liaison

LANGUAGE EDITING
South African Police Service, Strategic Management

FURTHER INFORMATION ON THE ANNUAL REPORT FOR THE NATIONAL COMMISSIONER OF THE SOUTH AFRICAN POLICE SERVICE, FOR 2019/2020, CAN BE OBTAINED FROM
South African Police Service
Strategic Management (Head Office)
Telephone: 012 393 3082

RP NUMBER
270/2020

ISBN NUMBER
978-0-621-48625-4

SUBMISSION OF THE ANNUAL REPORT TO THE MINISTER OF POLICE

General BH Cele (MP)

MINISTER OF POLICE

I have the honour of submitting the Annual Report of the Department of Police, for the period 1 April 2019 to 31 March 2020.

GENERAL KJ SITOLE (SOEG)

19 October 2020

TABLE OF CONTENTS

PART A: GENERAL INFORMATION

1.	GENERAL INFORMATION OF THE DEPARTMENT	1
2.	LIST OF ABBREVIATIONS/ACRONYMS	2
3.	FOREWORD BY THE MINISTER	6
4.	DEPUTY MINISTER'S STATEMENT	8
5.	REPORT OF THE ACCOUNTING OFFICER	10
6.	STATEMENT OF RESPONSIBILITY AND CONFIRMATION OF ACCURACY OF THE ANNUAL REPORT	28
7.	STRATEGIC OVERVIEW	29
7.1	VISION	29
7.2	MISSION	29
7.3	VALUES	29
7.4	CODE OF CONDUCT	29
8.	LEGISLATIVE AND OTHER MANDATES	30
8.1	CONSTITUTIONAL MANDATE	30
8.2	LEGISLATIVE MANDATE	30
8.3	LIST OF LEGISLATION TABLED IN PARLIAMENT, IN 2019/2020	33
8.4	POLICIES APPROVED BY CABINET	33
9.	ORGANISATIONAL STRUCTURE, AS AT 31 MARCH 2020	34
	ORGANISATIONAL PROFILE, AS AT 31 MARCH 2020	36
	NATIONAL PROFILE OF THE SOUTH AFRICAN POLICE SERVICE	36
10.	ENTITIES REPORTING TO THE MINISTER	37
11.	ROLL OF HONOUR	38

PART B: PERFORMANCE INFORMATION

1.	AUDITOR-GENERAL'S REPORT: PREDETERMINED OBJECTIVES	41
2.	OVERVIEW OF DEPARTMENTAL PERFORMANCE	41
2.1	SERVICE DELIVERY AND ORGANISATIONAL ENVIRONMENT	41
2.2	SERVICE DELIVERY IMPROVEMENT PLAN	43
2.3	KEY POLICY DEVELOPMENTS AND LEGISLATIVE CHANGES	46
3.	STRATEGIC OUTCOME-ORIENTED GOALS	46
4	PERFORMANCE INFORMATION BY PROGRAMME	54
4.1	PROGRAMME 1: ADMINISTRATION	54
4.2	PROGRAMME 2: VISIBLE POLICING	110
4.3	PROGRAMME 3: DETECTIVE SERVICES	165
4.4	PROGRAMME 4: CRIME INTELLIGENCE	233
4.5	PROGRAMME 5: PROTECTION AND SECURITY SERVICES	247

5.	TRANSFER PAYMENTS	259
5.1	TRANSFER PAYMENTS TO PUBLIC ENTITIES	259
5.2	TRANSFER PAYMENTS TO ALL ORGANISATIONS, OTHER THAN PUBLIC ENTITIES	259
6.	CONDITIONAL GRANTS	259
6.1	CONDITIONAL GRANTS AND EARMARKED FUNDS PAID	259
7.	DONOR FUNDS	260
8.	CAPITAL INVESTMENT	264

PART C: GOVERNANCE

1.	INTRODUCTION	275
2.	RISK MANAGEMENT	275
3.	FRAUD AND CORRUPTION	277
4.	MINIMISING CONFLICT OF INTEREST	288
5.	CODE OF CONDUCT	289
6.	SAFETY, HEALTH AND ENVIRONMENTAL ISSUES	290
7.	PARLIAMENTARY COMMITTEES	293
8.	STANDING COMMITTEE ON PUBLIC ACCOUNTS RESOLUTIONS	298
9.	PRIOR MODIFICATIONS TO AUDIT REPORTS	299
10.	INTERNAL CONTROL UNIT	306
11.	INTERNAL AUDIT AND AUDIT COMMITTEE	307
11.1	INTERNAL AUDIT ACTIVITY	307
11.2	AUDIT COMMITTEE REPORT	308
12.	BROAD-BASED BLACK ECONOMIC COMPLIANCE PERFORMANCE INFORMATION	313

PART D: HUMAN RESOURCE MANAGEMENT

1.	INTRODUCTION	315
2.	OVERVIEW OF HUMAN RESOURCES	315
3.	HUMAN RESOURCES OVERSIGHT STATISTICS	319
3.1	EXPENDITURE	319
3.2	EMPLOYMENT	322
3.3	FILLING OF SENIOR MANAGEMENT SERVICE POSTS	323
3.4	JOB EVALUATION	325
3.5	EMPLOYMENT CHANGES	326
3.6	EMPLOYMENT EQUITY	330
3.7	PERFORMANCE	334
3.8	PERFORMANCE REWARDS	335
3.9	FOREIGN WORKERS	336

3.10 LEAVE UTILISATION 337
3.11 COMMUNICABLE AND NON-COMMUNICABLE DISEASES AND HEALTH PROMOTION PROGRAMMES 340
3.12 LABOUR RELATIONS 344
3.13 SKILLS DEVELOPMENT 348
3.14 INJURY ON DUTY 350
3.15 UTILISATION OF CONSULTANTS 350

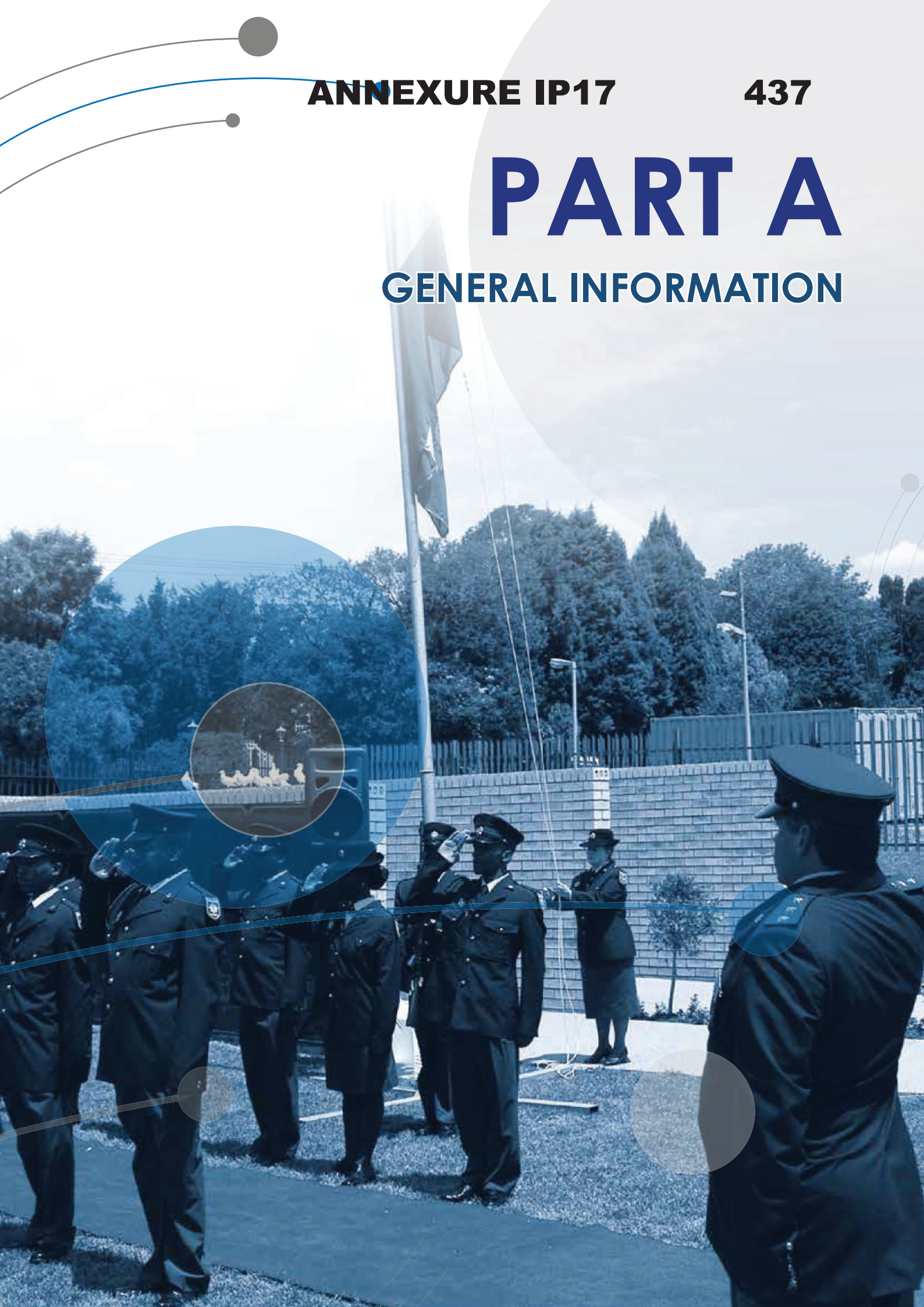
PART E: FINANCIAL INFORMATION

REPORT OF THE AUDITOR-GENERAL TO PARLIAMENT ON VOTE NO 23 352
ANNUAL FINANCIAL STATEMENTS 360

ENDNOTES 447

PART A

GENERAL INFORMATION



1. GENERAL INFORMATION OF THE DEPARTMENT

POSTAL ADDRESS:

Private Bag X94
PRETORIA
0001

TELEPHONE NUMBER:

+27 12 393 1001

FAX NUMBER:

+27 12 393 2819

WEBSITE ADDRESS:

www.saps.gov.za

2. LIST OF ABBREVIATIONS/ACRONYMS

4IR	Fourth Industrial Revolution
AFIS	Automatic Fingerprints Identification System
AGSA	Auditor-General of South Africa
APP	Annual Performance Plan
AU	African Union
BAC	Bid Adjudication Committee
BBBEE	Broad-Based Black Economic Empowerment
BRV	Bullet-Resistant Vest
CAS	Crime Administration System
CATS	Cash Transaction System
CCTV	Closed-Circuit Television
CFR	Central Firearm Register
CIT	Cash-in-Transit
CJS	Criminal Justice System
COGTA	Department of Cooperative Governance and Traditional Affairs
COVID-19	Coronavirus Disease 2019
CPF	Community Police Forum
CSPS	Civilian Secretariat for Police Service
DIRCO	Department of International Relations and Cooperation
DLO	Designated Liquor Officer
DNA	Deoxyribonucleic Acid
DOJ&CD	Department of Justice and Constitutional Development
DoT	Department of Tourism
DPCI	Directorate for Priority Crime Investigation
DPSA	Department of Public Service and Administration
DSO	Designated Second-Hand Goods Officer
DTI	Department of Trade and Industry
EFRS	Enhanced Firearms Register System
EHW	Employee Health and Wellness
EMCS	Enhanced Movement Control System
ETD	Education, Training and Development

E-TEL	Electronic Telephone Management
EU	European Union
EUE	End-User Equipment
FBI	Federal Bureau of Investigations
FLASH	Firearms, Liquor and Second-Hand Goods Service
FCS	Family Violence, Child Protection and Sexual Offences
FSL	Forensic Science Laboratory
FSW	Forensic Social Worker
GBH	Grievous Bodily Harm
GBV	Gender-Based Violence
GBVF	Gender-Based Violence and Femicide
GEMS	Government Employees Medical Scheme
GEPF	Government Employee Pension Fund
HIV/AIDS	Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome
HRA	Health Risk Assessments
IBIS	Integrated Ballistics Identification System
ICDMS	Investigation Case Docket Management System
ICTS	International Cooperation, Trade and Security
IJS	Integrated Justice System
ILEA	International Law Enforcement Academy
INTERPOL	International Criminal Police Organisation
IPID	Independent Police Investigative Directorate
IPM	Integrated Persons Management
IS/ICT	Information Systems/Information and Communication Technology
JCPS	Justice, Crime Prevention and Security
LAN	Local Area Network
LCRC	Local Criminal Record Centre
MCS	Movement Control System
MMS	Middle Management Service
MTEF	Medium-Term Expenditure Framework
MTSF	Medium-Term Strategic Framework
NATJOC	National Joint Operational Centre

NATJOINTS	National Joint Operational and Intelligence Structure
NCB	National Central Bureau
NCCF	National Crime Combating Forum
NDMP	National Drug Master Plan
NDP	National Development Plan
NFDD	National Forensic DNA Database
NFMCCC	National Non-ferrous Metals Crime Combating Committee Forum
NICOC	National Intelligence Coordinating Committee
NIU	National Intervention Unit
NKP	National Key Point
NOC	National Operational Coordination
NPA	National Prosecuting Authority
NPIS	National Photo Image System
NQF	National Qualifications Framework
NRSS	National Rural Safety Strategy
NSPCA	National Society for the Prevention of Cruelty to Animals
OCC	Operational Command Centre
ORTIA	OR Tambo International Airport
PCoP	Portfolio Committee on Police
PERSAL	Personnel and Salary System
PERSAP	Personnel and Salary Sub System
PIVA	Person Identification and Verification Application
POCA	Prevention of Organised Crime Act
POLFIN	Police Financial Management System
POLMED	Police Medical Aid
POP	Public Order Policing
PPE	Personal Protective Equipment
PPPFA	Preferential Procurement Policy Framework Act
PPS	Presidential Protection Service
PRASA	Passenger Rail Agency of South Africa
PSA	Public Service Act
PSCBC	Public Service Coordinating Bargaining Council

PSIRA	Private Security Industry Regulatory Authority
PSS	Protection and Security Services
RIMAS	Risk Information Management Support System
RPAS	Remotely Piloted Aircraft System
RPL	Recognition of Prior Learning
RSA	Republic of South Africa
SADC	Southern African Development Community
SANDF	South African National Defence Force
SANEB	South African Narcotic Enforcement Bureau
SAPS	South African Police Service
SARPCCO	Southern African Regional Police Chiefs Cooperation Organisation
SARS	South African Revenue Services
SASSETA	Safety and Security Sector Education and Training Authority
SAVC	South African Veterinary Council
SCOPA	Standing Committee on Public Accounts
SHE	Safety, Health and Environmental
SITA	State Information Technology Agency
SMS	Senior Management Service
SONA	State of the Nation Address
SOP	Standard Operating Procedure
STF	Special Task Force
TB	Tuberculosis
TPP	Training Provisioning Plan
TRT	Tactical Response Team
UAMP	User Asset Management Plan
UK	United Kingdom
UN	United Nations
USA	United States of America
USSD	Unstructured Supplementary Service Data
VCP	Vehicle Check Point
VFR	Victim-Friendly Room
VIP	Very Important Person
WAN	Wide Area Network

3. FOREWORD BY THE MINISTER

GENERAL BH CELE, MP
Minister of Police

As the Police Minister, I am appreciative of the hard work that the Department has put in over the past twelve months (2019/2020).

Late in 2019, we as the South African Police Service (SAPS) adopted the slogan "**Zizojika Izinto**" for our Safer Festive Season Operations. We had no idea that, indeed **Zizojika Izinto** – life would change not just for us as the SAPS, but for the whole world. This global health crisis has turned the world upside down. You as members have not been cushioned from the impact. I remain encouraged by your resilience, as you continue to be at the coalface of a global pandemic.

You have manned numerous roadblocks and maintained high visibility and patrols on beaches, in taxi ranks, markets, malls, main streets and other areas of potential mass gatherings. You also have closed down illegal operations.

I salute the fallen officers and honour their service to the nation. I also want to send a message of heartfelt condolences to the families left behind. Find comfort in knowing that you will be taken care of, as per SAPS protocols.

The National Development Plan (NDP), 2030 and the Medium-Term Strategic Framework (MTSF) (2019-2024) prioritise the improvement in corruption perception, reduced organised crime, improvement of feelings of safety and security in communities, including improved police visibility and the reduction of violent crime and levels of violent crime against women and children, which also necessitates the thorough and responsive investigation of crimes that are reported to the SAPS.

The country is currently grappling with the crippling effects of serious corruption and fraud, which necessitates its prioritisation in the NDP, 2030 and MTSF (2019-2024). The public simply wants to see concrete action taken by the Criminal Justice System (CJS), in response to the multitude of allegations of serious corruption, in both the public and private sectors, which have surfaced in the recent past. Unfortunately, there are also a handful of officers, who have embarrassed the Department by breaking the very rules that they were meant to enforce, but the majority of you continue to serve your country with excellence and pride.

Fraud and corruption is a serious national security threat that undermines the authority of the State and the economic development of the country. The country faces intolerably high levels of corruption within the public and private sectors, which undermines the rule of law and impedes Government's efforts to achieve its socio-economic development and service delivery objectives to overcome inequality.

I want to thank you, the men and women, for rendering effective services at police stations, especially to victims of domestic and Gender-Based Violence (GBV). You are encouraged to continue improving your responses to crimes committed against women, children and all vulnerable groups. Continue to treat victims who come to you with empathy and investigate all the cases thoroughly and leave no stone unturned in bringing perpetrators to book. Fighting GBV must always remain a priority.

While your role has always been important in defending the communities that you serve, this time you have been sent on an extra mission to protect South Africans against both enemies. I call on every member of this proud organisation, to continue to serve and protect with selfless patriotism and dedication, in the fight against the Coronavirus Disease 2019 (COVID-19) and beyond.

Communities, who are the SAPS's biggest allies, thank you for your continued support and partnership of policing efforts. We know that your role is critical to us, as we continue to stamp the authority of the State.

I want to reassure you, that as your Minister, I am fully behind you during this difficult time that lies ahead, in the 2020/2021 financial year.

GENERAL BH CELE, MP

Minister of Police

9 November 2020

4. DEPUTY MINISTER'S STATEMENT

Mr CC MATHALE, MP
Deputy Minister of Police

A socially unified and safe South Africa requires a series of interconnecting interventions that would unite our beautiful country. Achieving social cohesion and safer communities requires strengthening criminal justice platforms, police services and community participation in policing.

The unacceptable levels of crime in South Africa, especially serious and violent crime, result in people of South Africa living in fear and feeling unsafe, particularly vulnerable groups, such as women and children.

The police cannot easily address these crimes by conventional policing strategies. Liquor, substance abuse and environmental design factors also continue to play a pivotal role in the commission of these crimes. Crime is a social phenomenon that cannot be prevented by the police alone, therefore partnerships are crucial in the fight against crime.

Community Police Forums (CPFs) play a pivotal role in the building of partnerships, sharing information between the police and the community and tapping into resident's knowledge and expertise. Consultative and partnership policing fosters good relationships between a vast number of stakeholders; including Government departments, municipalities, businesses, civil society and other interest groups. CPFs remains an invaluable and indispensable platform, for both problem identification, as well as problem solving.

Organised crime continues to be a threat to the authority of the State and the safety and security of the citizens of South Africa. Organised criminal groups and syndicates use illegal and legal methods of targeting vulnerable sectors of society, by exploiting inequitable socio-economic imbalances that are inherent in the South African Society and thereby, also posing a major threat to the legitimate economy.

The dismantling of clandestine illicit drug laboratories and the confiscation of illegal drugs occurs at a local level, as sophisticated organised drug syndicates embed themselves in local communities, but ply their trade locally, regionally and transnationally.

The Fourth Industrial Revolution (4IR) implies significant technological advancements for the country and the continent, but also involves significant risk. The threat to the South African economy and population posed by the malicious and criminal targeting of cyberspace is significant and must be countered and acted upon, through the appropriate development and implementation of legislation, policy, as well as strategic and operational responses. These responses require a collaborative, preventive effort from all sectors, supported by the Justice, Crime Prevention and Security (JCPS) Cluster. Cybercrime has been described as being indiscriminate to the targets and having a catastrophic impact on individuals, economic growth, jobs and investment.

The 2019/2020 Annual Report of the SAPS represents the efforts made by the Department in crime fighting strategies and plans. The monitoring and reporting of the progress made by the Department in the previous financial year is very important, as it enables transparent management of resources and accountability to the plans made towards achieving the set objectives. With the current realities of the COVID-19 pandemic, this will allow the Department to reflect and review

the current operational activities, to ensure that performance on the planned targets are not compromised. I pledge to give continuous support to the management and members of the SAPS towards reinverting the wheel, in order to ensure that we achieve our goal towards the Department's mandate of serving the people of South Africa.

Mr CC MATHALE, MP

Deputy Minister of Police

9 November 2020

5. REPORT OF THE ACCOUNTING OFFICER

GENERAL
KJ SITOLE (SOEG)
National Commissioner

OVERVIEW OF THE OPERATIONS OF THE DEPARTMENT

Another financial year has drawn to a conclusion. I am proud as the National Commissioner, to present the Annual Report (2019/2020) for the SAPS. The year that has passed, has come with its many trials and tribulations. We, as the Department, must build on the progress we have made in the previous financial year, as well as over the 2014-2020 Strategic Plan cycle. Our journey continues, but requires us all to be resolute in our approach to implement actions outlined in Government's programmes of action, the SAPS annual and Strategic Plans. There is only 10 years left for the realisation of the NDP, 2030 targets. Have we achieved enough and what more can be done, to ensure a positive trajectory towards 2030. The MTSF (2019-2024) is the penultimate five-year implementation plan towards the implementation of the NDP, 2030 and translates the ruling party's electoral mandate into Government's priorities over a five-year period. The priorities as contained in the MTSF (2019-2024), which will and can be achieved through the joint efforts of Government, the private sector and civil society, are as follows:

Priority 1: Capable, Ethical and Developmental State

Priority 2: Economic Transformation and Job Creation

Priority 3: Education, Skills and Health

Priority 4: Consolidating the Social Wage through Reliable and Quality Basic Services

Priority 5: Spatial Integration, Human Settlements and Local Government

Priority 6: Social Cohesion and Safe Communities

Priority 7: A Better Africa and World

During lockdown level five, we had the unpleasant task of arresting some of our own, who were found to be on the wrong side of the law. Our efforts with other law enforcement agencies, including the South African National Defence Force (SANDF), Metropolitan Police Departments and our prison authorities, contributed to ensuring the maintenance of law and order during the initial stages of the lockdown.

It has been a tough fight and although the Coronavirus has made us change our way of life we, as a nation, have proven that we can adapt. The winter season has seen a spike in infections and several deaths, but our health practitioners at the frontlines have bolstered their efforts to heal the afflicted. Many of our brave men and women in blue, working tirelessly to prevent the spreading of COVID-19, by enforcing the lockdown regulations, in addition to their usual crime fighting duties, have fallen victim to the virus. The organisation will continue to comply with and, where necessary, improve measures to contain and manage COVID-19.

It is disheartening that our police officials who work so hard, under difficult circumstances, to protect communities, are attacked and killed while executing their law enforcement duties. I am confident that the implementation of the 72-Hour Activation Plan, which includes the mobilisation of Crime Intelligence, Forensic Services and the Hawks will yield positive results.

On behalf of the entire SAPS family, I would like to personally pay tribute, to those members who placed their lives on the line, to ensure that the people of South Africa are protected against crime, as well as against this virus.

I have also conveyed my sincere condolences to the families of our fallen colleagues and thanked them for the decades the members have served in the SAPS, as well as for allowing them to serve during these trying times.

While our aim as an organisation is to ensure that we prevent, combat and investigate crime, the good health, safety and wellbeing of our members remains a responsibility that the management of the Service does not take lightly. Through the Service's Employee Health and Wellness (EHW) Component, the Service is continuously providing the necessary psychological support to infected and affected members and their families, through a number of interventions, such as counselling, daily devotions and visits to SAPS premises and roadblocks.

Recently, we have seen an increase in reports of GBV, which usually resulted in femicide. The way of thinking of society, in general, needs to be changed, in order to stop GBV. This is a deep seated social ill that needs to be addressed by all spheres of society and Government, if it is ever to be rooted out. As the SAPS, we are doing our utmost to make reporting GBV easier and more comfortable for victims through our victim-friendly facilities and we provide counselling and allocate specialised detectives to their cases. Our police officers have been hard at work in bringing the perpetrators of GBV to book and giving victims of crime and their families the justice that they deserve. We have cases at various stages of the CJS.

The SAPS will ensure that no perpetrator of violence against women and children will go unpunished. We urge all victims and members of the community, who witness or even suspect abuse, to report it to the police before it is too late to help. We do not just want to bring closure to the families of the deceased – we want to prevent these horrendous murders.

STAFF ESTABLISHMENT OF THE SAPS

The financial constraints that Government is facing, which translates into fiscal limitations being imposed on all government departments, are increasingly complicating the SAPS's ability to effectively respond to its constitutional mandate, as per Section 205(3) of the Constitution of the Republic of South Africa, 1996 (Act No 108 of 1996). Factors, such as pervasive socio-economic inequalities, an expanding population base, globalisation and urbanisation, are placing the SAPS's human, physical and infrastructural resources under increased pressure. The sustained decline in the organisation's staff establishment, over the medium-term, despite the aforementioned factors, necessitates not only smarter, technology-driven policing, but also the prioritised capacitation and resourcing of the various functional areas that comprise the broader policing function. The SAPS will, therefore, focus on the continued capacitation of the detective service capability and specifically, the investigation of crimes against women and children; the SAPS's ability to ensure internal stability through public order policing; and specialised policing capabilities, as well as the

crime intelligence function, which supports both proactive and reactive policing. Emphasis will be placed on the requirement that there be an increasing investment in and devolution of policing resources to local level. The phased implementation of a rationalised organisational structure, during 2019/2020, will promote the resourcing of general and specialised policing capabilities, in both urban and rural settings, that provide a direct policing service to communities.

An estimated 78,1% (R316.2 billion) of the Department's budget over the medium-term, is allocated to the compensation of employees. The Department had a funded establishment of 192 431 personnel, in 2018/2019. This number decreased, by 1 000, in 2019/2020, to 191 431, due to natural attrition and remain constant over the period ahead, to remain within Government's expenditure ceiling for compensation of employees. The SAPS establishment was 187 358, at the end of March 2020 and did not achieve its target to maintain a minimum workforce of 98%. This was due to 786 employees who went on early retirement without penalties, as part of the offer from Government to reduce the public service wage bill. To minimise the impact of the expenditure ceiling on core service delivery, critical vacant funded posts, such as visible policing, forensic analysts, detectives and senior management, are still expected to be filled. The Department will also continue to prioritise its rejuvenation programme, which entails the recruitment of younger police officials at entry level, by appointing at least 3 000 trainees, annually, over the Medium-Term Expenditure Framework (MTEF) period.

PARTNERSHIP POLICING

Despite the gains that have been made towards the overall reduction in levels of serious crime over the medium-term, public trust and confidence in the SAPS are not at the desired levels, which necessitates a concerted effort by the SAPS to involve the public and relevant stakeholders in the prevention, combating and investigation of crime. The implementation of community policing concepts, such as CPFs, sector crime forums and Rural Safety Priority Committees, continues to serve as platforms of engagement between the SAPS and the community, in an effort to encourage a shared responsibility, in matters relating to the prevention of crime and community safety. At the end of March 2020, a total number of 1 149 of the 1 154 police stations had functional CPFs, 852 of the 875 identified police stations implemented sector policing and 887 of the 883 identified rural and rural/urban mixed police stations implemented the set criteria of the four pillars of the Rural Safety Strategy. A community-centred approach to policing, where specific attention is paid to the establishment and maintenance of sustainable partnerships with key local, national (including the public and private sectors) and international stakeholders. These partnerships, include international policing organisations, such as the International Criminal Police Organisation (INTERPOL) and the Southern African Regional Police Chiefs Cooperation Organisation (SARPCCO), seeking to harness innovate solutions to common challenges impacting on safety, security and economic prosperity, by focusing efforts to align and integrate the application of resources, in addressing crime-related issues that constrain or undermine socio-economic development in the country.

STABILISATION OF CRIME

Continued efforts are made to address serious crime and the need for the combating of gangsterism and substance abuse, as well as the enhanced protection of vulnerable sectors of society. The SAPS continues to focus on providing direct intervention, in support of communities plagued by gangsterism, as part of the overarching Community Policing Strategy.

In the June 2019 State of the Nation Address (SONA), the President laid down the key priorities of Government, linked to the strategic direction of the country, as reflected in the NDP, 2030 and the MTSF (2019-2024).

Contact crimes increased from 618 472 reported crimes, in 2018/2019, to 622 206 reported crimes, in 2019/2020, contact-related crimes reduced from 117 814, to 112 765, property-related crimes reduced from 498 198 to 472 158 and other serious crimes reduced from 446 844 to 428 767. Overall, serious crimes reduced, by 2,7%, from 1 681 328 to 1 635 896, compared to 2018/2019.

In an effort to reduce violent crimes, a total number of 4 204 stolen/lost and illegal firearms were confiscated, including 2 277 firearms recovered/found/confiscated and forfeited to the State. A total of 459 SAPS-owned firearms were also recovered. Furthermore, 36 674 stolen/robbed vehicles and 159 234 kg cannabis, 920 659 mandrax tablets, 638 kg crystal meth (Tik-Tik), 192 kg cocaine and 313 kg heroin was also confiscated. The national average police reaction time for crimes in progress, including incidents where serious crimes were committed was 17:24 minutes, 21:13 minutes for crimes that have already taken place, with no immediate threat to the complainant or property and 19:22 minutes for crimes of a less serious nature. A total number of 1 133 891 arrests were made for serious crimes, including 310 068 arrests for contact crimes, 43 141 for contact-related crimes, 183 636 for property-related crimes and 23 024 for other serious crimes. A total of 265 915 arrests were affected for crimes dependent on police action for detection (illegal possession of firearms and ammunition, drug-related crimes, as well as driving under the influence of alcohol and drugs and sexual offences, as a result of police action).

Additional emphasis is placed on certain categories of crime that require focused attention, such as crimes against women and children. Crimes against women reduced, by 4,8% (8 613) reported crimes, from 179 683 to 171 070 and crimes against children reduced, by 6,4% (2 881) reported crimes, from 45 229 to 42 348, compared to 2018/2019.

The SAPS has identified 30 police stations, in 2019/2020, in the Gauteng, the Western Cape, KwaZulu-Natal, Mpumalanga and the Free State Provinces, referred to as the "high crime weight stations", for focused attention over the short to medium-term, which will translate into the implementation of specific proactive and reactive interventions. Reported serious crimes at the 30 high crime weight stations reduced from 237 787 reported crimes, in 2018/2019, to 204 109 reported crimes, in 2019/2020 and contact crimes reduced from 94 131 reported crimes to 94 230.

GENDER-BASED VIOLENCE

The SAPS continues to promote and protect the rights of women, children and vulnerable groups and particular attention is paid to the violence and abuse, which is perpetrated against women and children. The functioning and resourcing of various specialised units, such as the Family Violence, Child Protection and Sexual Offences (FCS) Units, have been enhanced, to address crimes against women and children. The implementation of the GBV Strategy will also assist to intensify and accelerate efforts to prevent acts of GBV, by creating multisectoral and long-term strategic interventions. The SAPS also acknowledges the rights of people with disabilities and will continue to protect and ensure full and equal enjoyment of all human rights and fundamental freedom by all persons with disabilities. In 2019/2020, a total number of 1 153 from a total of 1 154 police stations rendered a victim-friendly service to victims of rape, sexual offences, domestic violence and abuse. There are 1 090 Victim-Friendly Rooms (VFRs), including 1 001 at police stations,

38 at satellite police stations, one at a contact point, two at international airports and 48 at FCS Units.

PUBLIC DISORDER

The country has, in the past few years, experienced an upsurge in violent incidents of public disorder, which requires urgent, additional interventions from the SAPS. It is anticipated that this upsurge against state authority will not decline radically, in the foreseeable future, due to the current climate of service delivery-related protest actions and land invasions. Although the SAPS's Public Order Police capability has been largely successful in containing these incidents and has limited the use of force, the situation requires a renewed focus. In order to achieve the creation of a demilitarised, professional and well-resourced Public Order Police capacity within the SAPS, which is capable of addressing the 21st century policing demands, the SAPS implemented the Public Order Policing (POP) Strategy that was approved, on 28 June 2019.

The SAPS continues to capacitate the POP Units that it has at its disposal, to manage community protests, including the training and equipping of members to deal with crowd management. The ongoing capacitation process will encompass the implementation of the Farlam Commission recommendations. The human resource capability at POP Units increased by 320, from 5 818 members, in 2018/2019, to 6 138 members, at the end of March 2020, comprising 5 734 SAPS Act members and 404 Public Service Act (PSA) personnel. The SAPS will continue to prioritise the capacitation of the 45 Provincial POP Units, as well as the four reserve units (in Pretoria, Durban, Cape Town and Mbombela) that it has at its disposal, to manage community protests.

SAFEGUARDING SOUTH AFRICA'S BORDERS

Ports of entry and exit are the entrance and exit points for the conveyance of goods and persons entering or departing South Africa. Controlling borders and ports of entry is vital, in order to prevent the flow of contraband, illegal drugs, undocumented persons, stolen/robbed vehicles, stolen firearms, wanted persons, stock theft and human trafficking. To enhance the national security and territorial integrity at ports of entry, the SAPS continues to execute planned crime prevention and combating actions, which include roadblocks, foot and vehicle patrols, vehicle checkpoints and perimeter inspections. A total number of 3 781 planned crime prevention and combating actions were undertaken at ports of entry, in 2019/2020, including 340 roadblocks, 56 560 vehicle patrols, 10 588 vehicle checkpoints, 88 632 foot patrols and 1 247 vessel patrol inspections, to enhance the national security and territorial integrity at ports of entry. These actions led to 12 625 arrests. The SAPS implemented the Border Policing Strategy that was approved, on 26 July 2019 aimed at the seamless movement of persons and goods in and out of the country, by effectively safeguarding and securing all borders, policing crimes that may threaten the safety and security of the Republic, ensuring that the repression and prevention of transnational organised crime, illegal migration and corruption are dealt with and preserving the territorial integrity of the Republic.

PARTICIPATION IN PEACE SUPPORT

The SAPS renders specialised policing services to neighbouring countries, in fulfilment of Outcome 11 of Government's Programme of Action: "Enhanced Africa Agenda and Sustainable Development". It includes the deployment of members on peacekeeping missions and other

interventions, in accordance with the United Nations (UN) Security Council Resolutions, the African Union (AU) Constitutive Act and Southern African Development Community (SADC) Agreements, as agreed on by the South African Cabinet. The activities will include, but are not limited to, cross-border operations and election observer missions. A total number of 69 members were deployed in AU/UN peacekeeping missions, in 2019/2020, including 32 members, in South Sudan and 35 members as police advisors, in Darfur[1]. One member is appointed in the UN Office of Rule of Law and Security Institution, in New York and one female member is appointed as the Senior Police Coordinator, in Somalia.

CRIME DETECTION

The Detective Service Division comprises: Crime Investigation Service; FCS Investigation Service; Specific Crime Investigations; Organised and Commercial Crime Investigation; and Anti-Corruption outside the mandate of the Directorate for Priority Crime Investigation (DPCI). In 2019/2020, the detection rate for all serious crimes combined decreased, by 0,20% to 36,17%. Contact crimes decreased, by 1,45% to 49,13% and other serious crimes, by 0,26% to 35,90%. Contact-related crimes increased, by 0,50% to 50,31% and property-related crimes, by 0,16% to 15,67%. The trial-ready case docket rate for all serious crimes combined increased, by 3,34% to 93,26%. Other serious crimes increased, by 5,30% to 93,36%, property-related crimes, by 2,91% to 93,80%, contact crimes, by 2,80% to 92,94% and contact-related crimes, by 2,23% to 94,99%. The detection rate for criminal and violent conduct in public protests decreased, by 0,01% to 46,91%. The trial-ready case docket rate increased, by 0,03% to 95,63%. The detection rate for crimes against children decreased, by 3,05% to 66,14% and the trial-ready case docket rate increased, by 5,24% to 91,36%. The detection rate for crimes against women decreased, by 0,89% to 72,92% and the trial-ready case docket rate increased, by 2,91% to 92,99%.

An integrated approach to the detection of crime is being applied, in order to align the various investigative capabilities, including both general and specialised investigation and the support to the investigation of crime. The Detective Service Helpline, which was launched, in January 2016, continued to contribute to the solving of volumes of complex investigative enquiries. The helpline provides support to detectives in need of information about any aspect related to the investigation of crime. Detectives are encouraged to consult the Detective Helpline when in need of support to obtain the correct information in the investigation of crime or to share best investigative practices or if they need to consult with Legal and Policy Services or if there is a need for understanding National Instructions, Standing Orders and policies. The "MySAPS" Application was launched, in October 2019, in Umlazi, in the KwaZulu-Natal Province. The application was developed by Vodacom SA and allow citizens to submit a crime tip-off anonymously to the SAPS' Crime Stop, via a smartphone.

MISSING PERSONS

The SAPS and social media giant, Facebook, joined hands, in 2020, to strengthen the tracing of missing children, through the use of the child abduction emergency alert platform, which is commonly known as the Amber Alert, aimed at activating and sending the details and photograph of the missing child on Facebook, to alert users to be on the lookout for a reported missing child. South Africa is the first country in Africa to receive this programme and the 23rd in the world.

NATIONAL PRIORITY OFFENCES

The DPCI, through a multidisciplinary approach, conducts major case and project driven investigations that are based on threat assessments in the following three strategic focus areas, namely; Serious Corruption Investigations; Serious Organised Crime Investigations; and Serious Commercial Crime Investigations. The Priority Crime Specialised Investigation Unit and the Priority Crime Management Centre provide specialised investigative and operational support in these investigations.

.The percentage trial-ready case dockets for fraud and corruption by individuals within the JCPS Cluster, increased from 82,37%, in 2018/2019 to 89,63%, in 2019/2020 against the planned target of 77%, an increase of 7,26%. The conviction rate was 92,72%. The trial-ready rate for fraud and corruption within the public sector was 88,89% and 76,51% within the private sector. The conviction rates were 100% and 98,00%, respectively.

The trial-ready case docket rate for serious commercial crime-related charges decreased, by 10,58% from 74,37% to 63,79%. This was due to witnesses in municipal fraud and corruption investigations that are sometimes reluctant to come forward or hand over evidential material, delays in the finalisation of forensic audit reports and some delays in case dockets submitted to the National Prosecuting Authority (NPA) for decision, due to the high volume of cases. The conviction rate was 98,15% or 37 700 from a total of 38 409 charges.

Serious Organised Crime Units investigate national priority offences, through serious organised crime project investigations. In 2019/2020, 70,00% or seven from a total of 10 of registered serious organised crime project investigations were successfully closed. The South African Narcotic Enforcement Bureau (SANEB) successfully identified and dismantled 24 clandestine drug laboratories, resulting in an achievement of 100% and the arresting of 56 suspects.

A total of 73 from a total of 91 or 80,22% of specialised cybercrime investigative support case files were successfully investigated. The target, in 2019/2020 was 55,00%.

FORENSIC SERVICES

The SAPS remains committed towards the realisation of processing the different categories of exhibits(entries), namely; routine case exhibits(entries), non-routine case exhibits(entries), priority case exhibits(entries) and intelligence case exhibits(entries). The backlog of cases exhibits(entries), not yet finalised, are also addressed. During 2019/2020, a total number of 122 609 or 63,75% from a total of 192 319 routine case exhibits(entries) received, were finalised, within 35 calendar days, compared to 171 989 or 71,92% from a total of 239 123, during 2018/2019, a decrease of 5,78%. The Forensic Science Laboratory (FSL) achieved a 79,67% or 3 794 from a total of 4 762 completion rate, with regard to non-routine case exhibits(entries), within the planned turnaround time of 113 calendar days, compared to a 91,66% or 5 034 from a total of 5 492 completion rate, during the previous financial year. The performance decreased by 11,99%, compared to 2018/2019. Non-routine case exhibits(entries) are mainly case exhibits(entries) that require research and/or extraordinary timely effort, thus consuming more time and resources to complete. A total of 29 152 from a total of 48 694 or 59,86% Biology Intelligence case exhibits(entries) were finalised, within the planned turnaround time of 90 calendar days. The backlog of cases exhibits(entries) increased from 2,48%, to 27,06%, from 2018/2019, portraying a 24,58% increase. A total of 98 238

case exhibits(entries) are yet to be attended to. This surpasses the international norm of 10%, by 14,58%.

The Criminal Record and Crime Scene Management processed 96,85% previous conviction reports within 15 calendar days, which is a 1,37% decrease, compared to the 2018/2019 achievement of 98,22%. The number of requests for fingerprint searches decreased, by 74,71%, compared to 2018/2019. From the 539 131 requests received, 49,81% were for criminal fingerprint searches and 50,19%, were non-criminal fingerprint searches, such as in the case of professional driver's permits and pre-employment screening. From the 268 568 criminal fingerprint searches conducted, 48,40% were first offenders (people who had no previous convictions recorded against them), whilst 51,60% resulted in previous convictions being identified and verified. A further 108 532 requests were received for fingerprint searches related to firearm license applications, of which 86 803 or 79,98% were processed, within 15 calendar days.

PROACTIVE AND REACTIVE CRIME INTELLIGENCE

In 2019/2020, a total of 799 network operations were successfully terminated, to infiltrate/penetrate criminal groupings/syndicates, 6 523 security risk and vetting assessments were conducted and 250 835 intelligence reports were operationalised. Intelligence reports consist of proactive and reactive intelligence reports. Proactive intelligence reports, include threat and risk assessments and early warning reports, in support of proactive operations and reactive intelligence reports, include profiles and intelligence analysis reports, such as communication analysis reports, association/network analysis reports. A total of 10 cross-border operations and 20 arrests of identified transnational crime suspects were facilitated, on request from INTERPOL member countries. A further 13 identified transnational crime suspects were arrested, but the files could not be finalised, due to outstanding court proceedings, mutual legal assistance and outstanding requests for extradition/arrest.

PROTECTION AND SECURITY SERVICES

In 2019/2020, the Protection and Security Services (PSS) Division and the Presidential Protection Service (PPS) Component provided in-transit protection to identified VIPs, as well as static protection at identified government installations and identified VIP residences, without any security breaches. A total number of 132 strategic installations were audited and 217 National Key Points (NKPs) were evaluated.

The 2014-2020 Strategic Plan has allowed the organisation to define the direction it needs to achieve its objectives and goals, which are in line with the vision and mission of the organisation. The financial year 2019/2020, was the final year of the Strategic Plan cycle, which will indicate how far the organisation has gone in implementing the plans towards meeting the set objectives. Therefore, the outputs reflected in the 2019/2020 Annual Report would also articulate the outcomes of the organisation for the past six years. The success of accomplishing these milestones can be also attributed to the efforts the SAPS has made in strengthening the collaboration with all stakeholders, within all sectors, who provide services, to ensure that the organisation is functioning to its full potential. Over the medium-term, the Department will continue to focus on implementing the MTSF (2019-2024) and the SAPS Strategic Plan, 2020 to 2025. Members of the SAPS remain committed to the fight against this virus, while also ensuring that the people of South Africa are and feel safe against any form of criminality.

OVERVIEW OF THE FINANCIAL RESULTS OF THE DEPARTMENT

DEPARTMENTAL RECEIPTS

Departmental receipts	2019/2020			2018/2019		
	Estimate	Actual amount collected	(Over)/ under collection	Estimate	Actual amount collected	(Over)/ under collection
	R'000	R'000	R'000	R'000	R'000	R'000
Sale of goods and services other than capital assets	304 622	331 208	(26 586)	305 352	329 367	(24 015)
Fines, penalties and forfeits	13 700	43 394	(29 694)	7 338	6 732	606
Interest, dividends and rent on land	1 325	1 755	(430)	1 125	1 333	(208)
Sale of capital assets	65 165	85 536	(20 371)	82 500	86 231	(3 731)
Financial transactions in assets and liabilities	145 594	139 810	5 784	144 063	139 486	4 577
Total	**530 406**	**601 703**	**(71 297)**	**540 378**	**563 149**	**(22 771)**

Departmental revenue collection destined for the National Revenue Fund, is mostly derived from services rendered to the public (such as firearm license applications, photocopies of accident reports and statements), disposal of departmental assets at auctions, forfeits (as a result of criminal activities) and the recovery of debt raised.

All fees, charges and tariffs, which are not fixed by law, are addressed by the Department's Tariff Committee.

The reasons for deviation on performance are as follows:

» **Sale of goods and services produced by the Department:** The positive deviation of R26,586 million is, *inter alia*, due to the increase of commission on insurance deductions on the Personnel and Salary System (PERSAL) (R1,7 million), the increase in police services rendered (R16,4 million), the increase in administrative fees charged (R4,8 million), as well as an increase of R3,3 million on boarding fees for residential accommodation.

» **Fines, penalties and forfeits:** The positive deviation of R29,694 million is mainly due to money forfeited to the State, during the latter part of the financial year that was not foreseen.

» **Sale of capital assets:** The positive deviation of R20,371 million is mainly due to more money collected at auctions, held for transport equipment, especially during the latter part of the reporting period.

» **Financial transactions in assets and liabilities:** Recovery of debt related to previous financial years was lower than anticipated and that contributed to the deviation of R5,784 million.

PROGRAMME EXPENDITURE

The total expenditure, for the 2019/2020 financial year, amounted to R96 073 216 562, which represents a spending rate of 99,2%. An amount of R754,044 million remained from the voted allocation for the financial year. The expenditure was made up as follows:

Programmes	2019/2020			2018/2019		
	Final appropriation	Actual expenditure	(Over)/ under expenditure	Final appropriation	Actual expenditure	(Over)/ under expenditure
	R'000	R'000	R'000	R'000	R'000	R'000
Administration	20 151 549	19 922 542	229 007	18 723 241	18 600 634	122 607
Visible Policing	49 793 729	49 748 382	45 347	47 118 958	47 117 278	1 680
Detective Services	19 347 109	18 867 419	479 690	18 959 298	17 828 166	1 131 132
Crime Intelligence	4 155 774	4 155 774	0	3 882 235	3 882 235	0
Protection and Security Services	3 379 100	3 379 100	0	3 000 429	3 000 429	0
Total	**96 827 261**	**96 073 217**	**754 044**	**91 684 161**	**90 428 742**	**1 255 419**

VIREMENTS/ROLLOVERS

In respect of virements applied, the National Treasury provided approval that the Department may utilise some funds allocated as specifically and exclusively appropriated, capital projects, as well as other underperforming areas in capital assets, in order to defray financial pressures experienced in goods and services expenditure. The Accounting Officer approved the following amounts to be viremented between the programmes of the Vote: Police, for the 2019/2020 financial year.

Programmes	Adjusted estimates	Actual expenditure	Virement	Variance
	R'000	R'000	R'000	%
Administration	20 442 930	19 922 542	(291 381)	(1,43%)
Visible Policing	49 912 518	49 748 382	(118 799)	(0,24%)
Detective Services	19 230 182	18 867 419	116 927	0,61%
Crime Intelligence	4 092 713	4 155 774	63 061	1,54%
Protection and Security Services	3 148 908	3 379 100	230 192	7,31%
Total	**96 827 261**	**96 073 217**	**-**	**-**

PROGRAMME 1: ADMINISTRATION

A net underspending of 1,43% realised, as a result of decreased spending on compensation of employees in this Programme, which required funding reprioritisation towards compensation in other programmes. In addition, lower than planned spending on uniform, due to the unavailability of contracts to source the identified requirements, hosting and network upgrades within the information technology environment and capital works building projects could also not utilise funding available for such. National Treasury's approval was obtained to shift funding from

perceived underperforming capital items to other goods and services environments, essentially focusing on critical procurement for COVID-19 that had to be embarked upon, of which no allocation existed at the time.

PROGRAMME 2: VISIBLE POLICING

A net underspending of R118,8 million realised on the largest programme that had been allocated more than 51% or R49,9 billion of the total budget. The underspending on the Programme is marginal, i.e. 0,24% that was mainly as a result of relative small reduced spending levels on different categories, such as machinery, households, contractors and lower levels of spending on invoices received in the facilities environment for reimbursements to Public Works (devolved functions). However, travel and subsistence realised increased expenditure, mainly as a result of insufficient funding allocated for the 2019 General Election and for crime stabilisation interventions that resulted in additional operational deployment costs.

PROGRAMME 3: DETECTIVE SERVICES

A marginal net overspending of 0,61% realised on the Programme, mainly as a result of increased spending levels on fleet services and contractors within goods and services. The overspending on the Programme is marginal, i.e. R116, 9 million.

PROGRAMME 4: CRIME INTELLIGENCE

The total net overspending of R63,1 million on this Programme essentially realised, as a result of increased spending on compensation of employees. Budget reductions on compensation of employees introduced in a previous MTEF and housing rental allowance de-linked and extended to spouses, in terms of a Public Service Coordinating Bargaining Council (PSCBC) agreement, contributed towards the compensation pressures in this Programme. Compensation of employees contributes to a weight of more than 91% of this Programme. Overspending on the Programme is 1,54%.

PROGRAMME 5: PROTECTION AND SECURITY SERVICES

A net overspending of 7,31% realised on total programme spending, mainly as a result of increased spending on compensation of employees. Compensation of employees contributes to a weight of more than 89% of this Programme. Budget reductions on compensation of employees introduced in a previous MTEF, overtime payable, re-grading of protectors and housing rental allowance de-linked and extended to spouses, in terms of a PSCBC agreement, contributed towards the compensation pressures.

UNAUTHORISED, FRUITLESS AND WASTEFUL EXPENDITURE

There is no unauthorised expenditure for the reporting period. Confirmed fruitless and wasteful expenditure for the reporting period is R91 755 405. Transactions with a value of R2 743 585.71 are

under investigation, as possible fruitless and wasteful expenditure. Refer to Part E: Notes to the Financial Statements.

FUTURE PLANS OF THE DEPARTMENT

Chapter 12 of the NDP, 2030 outlines a vision to build safer communities through demilitarising and professionalising the police service and adopting an integrated and holistic approach to safety and security in South Africa. This vision is given expression by Priority 6 (Social Cohesion and Safe Communities) of Government's MTSF (2019-2024), with which the work of the Department of Police is aligned. Accordingly, over the medium-term, the SAPS will focus on: strengthening safety in communities, through community policing forums; reducing violent crime, specifically those committed against women and children; employing the stabilisation and normalisation approaches to fighting crime; and improving capacity for specialised investigations.

Below is the SAPS budget breakdown, per programme to make evident the original budget allocation and the adjusted budget allocation, for the 2020/2021 financial year:

Programmes	Initial budget	Adjusted budget
	R'000	R'000
Programme 1: Administration	20 912 779	20 094 579
Programme 2: Visible Policing	52 327 272	57 048 272
Programme 3: Detective Services	20 624 159	20 491 359
Programme 4: Crime Intelligence	4 403 531	4 403 531
Programme 5: Protection and Security Services	3 443 292	3 373 292
Total	**101 711 033**	**105 411 033**

Expenditure is expected to increase at an average annual rate of 5,2%, from R96,7 billion, in 2019/2020 to R112,7 billion, in 2022/2023. As policing is labour intensive, spending on compensation of employees accounts for 79,7% (R257,9 billion) of the Department's total expenditure, over the medium-term. The Department's budget for compensation of employees was reduced by R2,6 billion, over the MTEF period. Of this, R1 billion was due to a technical downward adjustment to align the rate of increase in spending on compensation of employees with the revised rate of inflation.

The remaining R1,6 billion represents estimated savings to be derived from implementing early retirement without penalisation of pension benefits for employees whose applications will be submitted for approval by the Minister of Police. In 2019/2020, the SAPS received more than 3 000 applications from staff seeking early retirement. As a result, the Department's funded establishment is expected to decrease from 192 412 posts, in 2019/2020 to 187 433 posts, in 2022/2023. To provide for pension benefits R500 million is allocated to the SAPS over the medium-term, for the payment of costs related to early retirement, such as capped leave of more than 160 days, as well as medical subsidy.

Excluding the reductions on compensation of employees, Cabinet has approved further baseline reductions on the Department's budget amounting to R2,9 billion, over the medium-term. These reductions will mainly be on goods and services to align the Department's budget with Government's overall expenditure ceiling. To minimise the effect on service delivery, some of these reductions will be on non-core goods and services items, such as communications, minor assets and

consumables, such as stationery and office supplies. In addition, R2,8 billion has been reprioritised over the MTEF period from funds previously allocated to the SAPS for the implementation of the CJS Seven Point Plan. These funds have been shifted to other departments in the JCPS Cluster and will form part of implementing the broader integrated criminal justice strategy.

The COVID-19 pandemic has drastically redefined policing with social distancing being the new normal and deployment at Community Service Centres, operational policing suddenly demands a different Standard Operating Procedure (SOP).

The 2020/2021 financial year marks the third cycle since the pronouncement to address the backlog of promotions of 69 219 SAPS members. In the past two years, a total of 48 067 members have been promoted through grade progression with a total budget of R1,330 billion. A total of 10 614 members will be grade progressed, during 2020/2021 with a budget of R172,9 million. Furthermore, on post promotions a total of 6 000 posts are included, in the 2020/2021 financial year, with an allocated budget of R129 million.

The establishment of the Detective Academy has led the international benchmarking team to the Federal Bureau of Investigation (FBI) Academy, in the United States of America (USA) and similar bodies, in China and the United Kingdom.

Training of new recruits - The recruitment process for 7 000 police trainee posts was at an advanced stage when the process was suspended, due to the COVID-19 restrictions of social distancing. The following approach is being considered for the filling of the 7 000 entry-level posts:

Intake 1: 3 000 active serving reservists, in October 2020.

Intake 2: 4 000 external applicants from the community at large, who applied during September/ October 2020 for positions, as police trainees to commence basic training, in January 2021.

» Police visibility - The branding of SAPS vehicles, including the fitment of blue lights, is receiving priority within SAPS Supply Chain Management.

» Investment in technology - A task team has been established to look into coordinated development of a SAPS integrated strategy and response plan to deal with the 4IR.

» Crime Intelligence - Crime Intelligence is in its second year of implementing the Crime Intelligence Corporate Renewal Strategy, which aims to capacitate the division to realise its "intelligence led policing" plan. This plan is aimed at establishing intelligence capacity at police stations.

STRENGTHENING SAFETY IN COMMUNITIES/COMMUNITY PARTICIPATION TO FIGHT CRIME

The Safer Cities Framework is envisaged to be finalised, in the 2020/2021 financial year, which provides an overarching approach for adopting a collaboration in strengthening safety and security in South Africa. The SAPS has recognised that functioning CPFs are central to the successful implementation of this Framework. This is because these forums provide a critical interface between the police at local level and the communities that they serve. Over the medium-term, the

Department will ensure that at least 99,56% of all CPFs remain functional to facilitate the successful implementation of the Safer Cities Framework.

Community participation in the fight against crime is of paramount importance, hence community outreach programmes are to be supported and funded. The SAPS Annual Performance Plan (APP), 2020/2021 prioritises the implementation of the Community-in-Blue Concept, in all nine provinces, the implementation of the Traditional Policing Concept, in three provinces, over the medium-term and the Safer Cities Framework, in ten pilot cities.

REDUCING VIOLENT CRIME, SPECIFICALLY THOSE COMMITTED AGAINST WOMEN AND CHILDREN

Government's MTSF (2019-2024) sets out objectives towards a 50% reduction in the number of violent crimes reported in South Africa, in the next 10 years. These objectives relate to reducing violence against women and children, among other things. Accordingly, targets set out in Government's MTSF (2019/2024) reflect reductions of 6,7% per year, over the next 10 years in reported contact crimes and crimes against women and children. Effectively combating these crimes requires adopting an integrated approach that involves all sectors of society, including key business industries, supported by an effective CJS that delivers quality and professional services. The implementation of the Integrated Criminal Justice Strategy, including supporting interventions related to combating violent crime and crimes against women and children have been prioritised. As such, detection rates for all contact crimes are expected to increase from 50,58%, in 2018/2019 to 56,07%, in 2022/2023; detection rates for crimes against women are expected to increase from 73,81%, in 2018/2019 to 75,35%, in 2022/2023; and detection rates for crimes against children are expected to increase from 69,19%, in 2018/2019 to 70,20%, in 2022/2023.

In responding to GBV, the SAPS has prioritised the resourcing of the FCS Units and other related mandates.

During the 2020/2021 financial year, emphasis will be placed on FCS Units and GBV, with an additional R15 million to be prioritised towards the direct resourcing of these units, in terms of goods and services, vehicle procurements, as well as other equipment. FCS Units continues to secure harsh sentences and multiple life imprisonments for GBV-related cases.

EMPLOYING THE STABILISATION AND NORMALISATION APPROACHES TO FIGHTING CRIME

Crime manifests in various forms and is largely influenced by geography, which necessitates two distinct yet interrelated operational policing approaches: the stabilisation approach, which is immediate in nature and focuses on the removal of immediate threats in identified high-crime areas and hotspots; and the normalisation approach, which is gradual in nature and addresses the root causes of crime within predetermined time frames. The stabilisation approach is supported by specific national crime prevention operations, such as Operation Fiela Reclaim II, while the normalisation approach entails the implementation of ongoing policing and law enforcement strategies. Over the medium-term, the SAPS will focus on adopting the stabilising and normalising approaches at the 30 police stations across South Africa with the highest crime rates or those that

are identified as hotspots. To facilitate their transition from stabilisation to normalisation over the medium-term, the SAPS will ensure that focused crime prevention interventions are implemented in these police stations.

RURAL SAFETY AND FARM KILLINGS

The attacks on the country's rural communities remain a serious concern, therefore a holistic approach to attacks on farms will go a long way in enhancing rural safety. The work of the reviewed National Rural Safety Strategy (NRSS) is operationalised and provides for Rural Safety Priority Committees to function at national, provincial, district and police station levels. This Strategy also empowers all role players in the rural and farming community, government departments and civil society, to get involved in these committees. These committees include the SANDF, Organised Agriculture, the Departments of Agriculture, Rural Development and Land Reform, as well as Cooperative Governance and Traditional Affairs, all whom are working alongside the SAPS. The committees will meet on a regular basis to monitor incidents of violent crime and establish trends and new developments, as well as plan interventions. The reviewed strategy also aims to redirect effective capacity, both human and physical capabilities, to where they are needed most in rural areas. The reviewed NRSS was launched, in October 2019 and will be implemented for the next five years which commenced, on 1 April 2020.

IMPROVING CAPACITY FOR SPECIALISED INVESTIGATIONS/ DIRECTORATE FOR PRIORITY CRIME INVESTIGATION

The DPCI, together with Crime Intelligence are taking the fight beyond our borders. Together, they have developed a comprehensive approach to address the full spectrum of the drug supply chain, ranging from the illicit cultivation, production, trafficking, drug couriers and drug outlets, as well as emerging threats, through the National Drug Master Plan (NDMP). To address the cross-border drug trafficking networks, the DPCI and Crime Intelligence are actively participating in trilateral planning, between South Africa, Mozambique and Tanzania, to counter heroin and other drugs entering our region, through the Indian Ocean.

Capacitating the DPCI remains a priority. Critical appointments, including that of the Deputy National Head and Provincial Heads are currently before cabinet for consideration.

The increase in cases involving serious corruption and commercial crime, over the past few years and the constant threat to safety and security posed by crimes against the State, requires that the DPCI has sufficient capacity to effectively respond to these crimes. Over the MTEF period, funds will be reprioritised, which were previously allocated to the Detective Services Programme for functions related to the CJS Seven Point Plan. These funds will be reprioritised to spending on compensation of employees in the specialised investigations environment. The funds will enable the DPCI to appoint approximately 800 additional investigators, over the medium-term. With the appointment of the additional investigators over the period ahead, the Department expects to clear this backlog and maintain a conviction rate of 70%, in respect of cases relating to serious fraud and corruption in the public and private sectors.

PUBLIC/PRIVATE PARTNERSHIPS

No Public Private Partnership arrangements/approvals exist currently.

DISCONTINUED ACTIVITIES/ACTIVITIES TO BE DISCONTINUED

None

NEW OR PROPOSED ACTIVITIES

None

SUPPLY CHAIN MANAGEMENT

UNSOLICITED BID PROPOSALS

There were no unsolicited bid proposals approved, in 2019/2020.

PROCESSES IN PLACE TO ADDRESS IRREGULAR EXPENDITURE

A National Procurement Forum was conducted, at the Supply Chain Management Division. A pocket guide, with the sole purpose of educating all support personnel and to prevent irregular expenditure, was developed. A National Irregular Expenditure Committee was established and issued an instruction for the establishment of Provincial and Divisional Irregular Expenditure Committees, who will be responsible for monitoring and ensuring the timeous finalisation of all irregular expenditure cases within their respective Divisions and/or Provinces.

CHALLENGES

There is no contracts in place for the procurement of ammunition, pyrotechnics and Bullet-Resistant Vests (BRVs). Ammunition is currently procured on a quotation basis. Bids were advertised, evaluated and are currently awaiting recommendation from the Bid Evaluation Committee and approval from the Bid Adjudication Committee (BAC). There is no contract in place for the procurement of complete BRVs, due to the fact that the SAPS is busy with a request for information for a new generation, light weight BRV. The bid for BRV spare parts was advertised and is in the process of being evaluated.

GIFTS AND DONATIONS RECEIVED, IN KIND, FROM NON-RELATED PARTIES

Donations and transfers to the value of R14 949 000.00, were received by the SAPS, in 2019/2020.

Donations and transfers to the value of R1 861 000.00, were made by the SAPS, in 2019/2020.

EXEMPTIONS AND DEVIATIONS RECEIVED FROM THE NATIONAL TREASURY

There were no deviations from financial reporting requirements submitted to the National Treasury, in the current and previous financial years.

EVENTS AFTER THE REPORTING DATE

Material events have occurred subsequent to the financial year end, that required disclosure, but no adjustment to the Annual Financial Statements, for the year ended 31 March 2020.

The global COVID-19 pandemic has led to several cases being reported, locally, in South Africa, since mid-March 2020. In this regard, the SAPS had to continue rendering and performing policing services, irrespective of the state of national disaster announced by the President. In response to this pandemic, significant adjustments and interventions had to be introduced, in order to respond positively, to curb and mitigate the outbreak of infections and the state of financial affairs of the Department that could possibly realise significant negative impact on policing.

OTHER

None

AUDIT OUTCOME

The Report of the AGSA to Parliament on Vote 23: Department of Police, for the financial year ending 31 March 2020, contains a qualified opinion on the financial statements of the Department, for the period 2019/2020. This qualification in particular, relates to the disclosure of the value of the network infrastructure (network asset) of the Department. Subsequent to extensive deliberations and consultation with the AGSA, the matter is receiving attention at the time of tabling the Annual Report.

ACKNOWLEDGEMENTS AND CONCLUSION

The 2019/2020 financial year was the first year of the commencement of the MTSF, for the 2019-2024 cycle. The 2019/2020 financial year also marked the culmination of the Strategic Plan for the period 2014-2020, which was extended by one additional financial year (2019/2020).

I wish to extend my gratitude to the Minister of Police, the Honourable General BH Cele and the Honourable Deputy Minister C Mathale. I wish to further extend my gratitude to the Chairperson of the Portfolio Committee on Police (PCoP), Ms Tina Joemat Peterson and members of the PCoP and the Audit Committee, under the chairpersonship of Mr van Heerden, for their continuous support, leadership and guidance, in the previous financial year.

I wish to take this opportunity to further thank the team at the Ministry of Police, the Civilian Secretariat for Police Service (CSPS) and his team, the Acting Executive Director of the Independent Police

Investigative Directorate (IPID) and his team, the Chief Executive Officer of the Private Security Industry Regulatory Authority (PSIRA) and his team, the National Head of the DPCI and his team, the Chairperson of the National Forensic Oversight and Ethics Board (DNA Board) and her team and the Chairperson of the Firearms Appeals Board and her team.

I am grateful for the cooperation and support of the communities that we serve. Communities play an important role in fighting crime. I wish to urge citizens and members of the community to stay vigilant and to become active at local levels and support endeavours to address the causes of crime.

I extend my acknowledgement to the CPFs, community-based organisations, faith-based organisations and non-governmental organisations for the support and participation in working together with the SAPS.

I thank the reservists, law enforcement agencies (international, national, provincial and local), oversight bodies, amongst others, the AGSA, other government departments and entities, all our strategic partners, stakeholders and role players, who have made immense contribution to the performance of the Department.

The SAPS does not function in a vacuum and the effective working of Government requires dedicated support and collaboration, amongst others, being the JCPS and International Cooperation, Trade and Security (ICTS) Clusters and various other government departments, who work in close collaboration with the SAPS, to ensure that all people in South Africa are and feel safe.

In conclusion, I, together with the management of the SAPS, acknowledge the commitment and perseverance of the men and women of the SAPS, who strive to ensure that all people in South Africa, are and feel safe. This Annual Report (2019/2020) is a combined reflection of the efforts of the members of the SAPS. We, the men and women in blue, embark on the next chapter of the journey, implementing the SAPS Strategic Plan 2020-2025, in the realisation of the NDP, 2030 by making a better life for all through safer communities.

GENERAL KJ SITOLE (SOEG)

Accounting Officer

Department of Police

19 October 2020

6. STATEMENT OF RESPONSIBILITY AND CONFIRMATION OF ACCURACY OF THE ANNUAL REPORT

To the best of my knowledge and belief, I confirm the following:

All information and amounts, which are disclosed throughout the Annual Report, are consistent.

The Annual Report is complete, accurate and free from any omissions.

The Annual Report has been prepared, in accordance with the Annual Report Guide for National and Provincial Departments, issued by the National Treasury.

The Annual Financial Statements (Part E) have been prepared, in accordance with the modified cash standard and the relevant frameworks and guidelines, issued by the National Treasury.

The Accounting Officer is responsible for the preparation of the annual financial statements and for the judgements made in this information.

The Accounting Officer is responsible for establishing and implementing a system of internal control that has been designed to provide reasonable assurance as to the integrity and reliability of the performance information, the human resources information and the annual financial statements.

The external auditors are engaged in an effort to express an independent opinion on the Annual Financial Statements.

In my opinion, the Annual Report fairly reflects the operations, the performance information, the human resource information and the financial affairs of the Department, for the financial year, ended 31 March 2020.

Yours faithfully

GENERAL KJ SITOLE (SOEG)
Accounting Officer
Department of Police

19 October 2020

7. STRATEGIC OVERVIEW

7.1 VISION

To create a safe and secure environment for all people in South Africa.

7.2 MISSION

- To prevent and combat crime that may threaten the safety and security of any community.
- Investigate any crimes threatening the safety and security of any community.
- Ensure that offenders are brought to justice.
- Participate in efforts to address the causes of crime.

7.3 VALUES

- Protecting everyone's rights and be impartial, respectful, open and accountable to the community.
- Using the powers given to us in a responsible way.
- Providing a responsible, effective and high-quality service with honesty and integrity.
- Evaluating our service continuously and making every effort to improve on it.
- Ensuring the effective, efficient and economic use of resources.
- Developing the skills of all members through equal opportunity.
- Cooperating with all communities, all spheres of government and other relevant role players.

7.4 CODE OF CONDUCT

I commit myself to creating a safe and secure environment for all the people in South Africa by –

- participating in endeavours aimed at addressing the causes of crime;
- preventing all acts which may threaten the safety or security of any community;
- investigating criminal conduct that endangers the safety or security of the community; and
- bringing the perpetrators to justice.

In carrying out this commitment, I shall, at all times –

- uphold the Constitution and the law;
- take into account the needs of the community;
- recognise the needs of the South African Police Service, as my employer; and
- cooperate with all interested parties in the community and the government at every level.

In order to achieve a safe and secure environment for all the people of South Africa, I undertake to –

- act with integrity in the rendering an effective service of a high standard, which is accessible to everybody and continuously strive towards improving this service;
- utilise all available resources responsibly, efficiently and cost-effectively, thereby, optimising their use;
- develop my own skills and contribute towards the development of those of my colleagues to ensure equal opportunities for all;
- contribute to the reconstruction and development of and reconciliation in our country;
- uphold and protect the fundamental rights of every person;
- act in a manner that is impartial, courteous, honest, respectful, transparent and accountable;
- exercise the powers conferred upon me in a responsible and controlled manner; and
- work towards preventing any form of corruption and bring the perpetrators, thereof, to justice.

8. LEGISLATIVE AND OTHER MANDATES

8.1 CONSTITUTIONAL MANDATE

The SAPS derives its mandate from Section 205 of the Constitution of the Republic of South Africa, 1996 and from the South African Police Service Act, 1995 (Act No 68 of 1995). This legislation regulates the police service, in terms of its core functions, which are to prevent, investigate and combat crime; maintain public order; protect and secure the inhabitants of South Africa and their property; and uphold and enforce the law.

8.2 LEGISLATIVE MANDATE

The Minister of Police is responsible for the administration of the following legislation:

- Civilian Secretariat for Police Service Act, 2011 (Act No 2 of 2011)
- Control of Access to Public Premises and Vehicles Act, 1985 (Act No 53 of 1985)
- Dangerous Weapons Act, 2013 (Act No 15 of 2013)
- Explosives Act, 1956 (Act No 26 of 1956)
- Firearms Control Act, 2000 (Act No 60 of 2000)
- Game Theft Act, 1991 (Act No 105 of 1991)
- Intimidation Act, 1982 (Act No 72 of 1982)
- Independent Police Investigative Directorate Act, 2011 (Act No 1 of 2011)
- National Key Points Act, 1980 (Act No 102 of 1980)
- Private Security Industry Regulation Act, 2001 (Act No 56 of 2001)
- Protection of Constitutional Democracy Against Terrorist and Related Activities Act, 2004 (Act No 33 of 2004)

- Regulation of Gatherings Act, 1993 (Act No 205 of 1993)
- Second-Hand Goods Act, 2009 (Act No 6 of 2009)
- South African Police Service Act, 1995 (Act No 68 of 1995)
- Stock Theft Act, 1959 (Act No 57 of 1959)
- Tear-Gas Act, 1964 (Act No 16 of 1964)
- Transfer of the South African Railways Police Force to the South African Police Act, 1986 (Act No 83 of 1986)

In the execution of its constitutional mandate, the South African Police Service derives its powers and functions mainly from the following key legislation:

- Criminal Law (Sexual Offences and Related Matters) Amendment Act, 2007 (Act No 32 of 2007)
- Child Justice Act, 2008 (Act No 75 of 2008)
- Children's Act, 2005 (Act No 38 of 2005)
- Criminal Procedure Act, 1977 (Act No 51 of 1977)
- Criminal Law (Forensic Procedures) Amendment Act, 2013 (Act No 37 of 2013)
- Counterfeit Goods Act, 1997 (Act No 37 of 1997)
- Customs and Excise Act, 1966 (Act No 91 of 1966)
- Diamonds Act, 1986 (Act No 56 of 1986)
- Disaster Management Act, 2002 (Act No 57 of 2002)
- Domestic Violence Act, 1998 (Act No 116 of 1998)
- Drugs and Drug Trafficking Act, 1992 (Act No 140 of 1992)
- Exchange Control Regulations, 1961
- Films and Publications Act, 1996 (Act No 65 of 1996)
- Financial Intelligence Centre Act, 2001 (Act No 38 of 2001)
- Immigration Act, 2002 (Act No 13 of 2002)
- Inquest Act, 1959 (Act No 58 of 1959)
- Implementation of the Rome Statute of the International Criminal Court Act, 2002 (Act No 27 of 2002)
- International Cooperation in Criminal Matters, 1996 (Act No 75 of 1996)
- Liquor Act, 2003 (Act No 59 of 2003)
- Marine Living Resources Act, 1998 (Act No 18 of 1998)
- Mental Healthcare Act, 2002 (Act No 17 of 2002)
- National Conventional Arms Control Act, 2002 (Act No 41 of 2002)
- National Environmental Management Act, 1998 (Act No 107 of 1998)
- National Road Traffic Act, 1996 (Act No 93 of 1996)
- National Strategic Intelligence Act, 1994 (Act No 39 of 1994)
- Non-proliferation of Weapons of Mass Destruction Act, 1993 (Act No 87 of 1993)
- Older Persons Act, 2006 (Act No 13 of 2006)
- Precious Metals Act, 2005 (Act No 37 of 2005)

- Prevention and Combating of Corrupt Activities Act, 2004 (Act No 12 of 2004)
- Prevention and Combating of Torture of Persons Act, 2013 (Act No 13 of 2013)
- Protection from Harassment Act, 2011 (Act No 17 of 2011)
- Prevention of Organised Crime Act, 1998 (Act No 121 of 1998)
- Safety at Sports and Recreational Events Act, 2010 (Act No 2 of 2010)
- Sexual Offences Act, 1957 (Act No 23 of 1957)
- State of Emergency Act, 1997 (Act No 64 of 1997)
- The Prevention and Combating of Trafficking in Persons Act, 2013 (Act No 7 of 2013)
- The Regulation of Interception of Communication and Provision of Communication-related Information Act, 2002 (Act No 70 of 2002)

Policy frameworks impacting on the SAPS, include:

- National Development Plan, 2030
- Medium-Term Strategic Framework (2019-2024)
- White Paper on Safety and Security, 2016
- White Paper on Policing, 2016
- Draft National Spatial Development Framework, 2019
- United Nations Transforming our World: The 2030 Agenda for Sustainable Development
- African Union Agenda 2063: The Africa we Want
- Policy Framework for the Government-Wide Monitoring and Evaluation System, 2007
- Revised Framework for Strategic Plans and Annual Performance Plans, 2019
- Framework for Managing Performance Information, 2007
- National Evaluation Policy Framework, 2011
- National Cyber Security Policy Framework, 2015
- The King IV Code of Corporate Governance for South Africa, 2017
- Minimum Information Security Standards, 1998
- White Paper on Affirmative Action in the Public Service, 1997
- White Paper on Human Resource Management in the Public Service, 1997
- White Paper on Transforming Public Service Delivery, 1997
- White Paper on Public Service Training and Education, 1997
- White Paper on the Rights of Persons with Disabilities, 2015
- South African Statistical Quality Assessment Framework, 2010
- National Drug Master Plan, 2019-2024
- National Action Plan to Combat Racism, Racial Discrimination, Xenophobia and Related Intolerance (2016-2021)

8.3 LIST OF LEGISLATION TABLED IN PARLIAMENT, IN 2019/2020

No new legislation was tabled, in 2019/2020.

8.4 POLICIES APPROVED BY CABINET

No new policies were approved by Cabinet, in 2019/2020.

9. ORGANISATIONAL STRUCTURE, AS AT 31 MARCH 2020

National Commissioner
Gen KJ Sitole (SOEG)

Policing
Lt Gen SF Masemola

Crime Detection
Lt Gen SC Mfazi

Human Resource Management
Lt Gen BC Mgwenya

DIVISIONAL COMMISSIONERS

Visible Policing
Lt Gen MD Sempe (SOEG)

Operational Response Services
Lt Gen NS Mkhwanazi

Protection and Security Services
Lt Gen S Shitlabane

Detective Service
Lt Gen TC Mosikili

Forensic Services (Acting)
Lt Gen M Motlhala

Crime Intelligence
Lt Gen PA Jacobs

Human Resource Management
Lt Gen L Ntshiea

Human Resource Development
Lt Gen BM Zulu

PROVINCIAL COMMISSIONERS

Limpopo
Lt Gen NJ Ledwaba

Mpumalanga
Lt Gen BM Zuma

Western Cape
Lt Gen Y Matakata

Northern Cape
Lt Gen RP Shivuri

North West
Lt Gen SJ Kwena

Gauteng
Lt Gen E Mawela

KwaZulu-Natal
Lt Gen KE Jula

Eastern Cape
Lt Gen LE Ntshinga

Free State
Lt Gen BB Motswenyane

ANNEXURE IP17 472

Minister of Police, MP
Gen BH Cele

Deputy Minister of Police, MP
Mr CC Mathale

National Head Directorate for Priority Crime Investigation
(Dr/Adv) Lt Gen SG Lebeya (SOEG)

Deputy National Head Directorate for Priority Crime Investigation (Acting)
Maj Gen ADR Khana

DEPUTY NATIONAL COMMISSIONERS

Asset and Legal Management
Lt Gen FN Vuma

Management Advisory Services

Financial Management and Administration (CFO)
Lt Gen PP Dimpane

Supply Chain Management
Lt Gen J Riet

Technology Management Services (Acting)
Lt Gen NP Masiye

Legal and Policy Services
Lt Gen SA Khan

Inspectorate (Acting)
Maj Gen M Hankel

COMPONENTS HEADS

Executive Support
Maj Gen LM Singh

Internal Audit
Maj Gen DT Nkosi

Crime Registrar
Maj Gen TN Sekhukhune

Presidential Protection Service
Maj Gen WP Rhoode

Research
Maj Gen PR Vuma

Organisational Development
Maj Gen NL Mzima

Strategic Management
Maj Gen L Rabie

Corporate Communication and Liaison
Maj Gen S De Beer

Programme and Project Management
Maj Gen ME Mantsi

Chief Risk Officer
Maj Gen CM Matlou

ORGANISATIONAL PROFILE, AS AT 31 MARCH 2020

Rank/level description	White		Indian		Coloured		African		Total
	Male	Female	Male	Female	Male	Female	Male	Female	
Minister	0	0	0	0	0	0	1	0	**1**
Deputy Minister	0	0	0	0	0	0	1	0	**1**
Executive Authorities	**0**	**0**	**0**	**0**	**0**	**0**	**2**	**0**	**2**
Minister of Police personnel	0	0	0	0	0	3	10	20	**33**
National Commissioner (General)	0	0	0	0	0	0	1	0	**1**
Deputy National Commissioners (Lieutenant General)	0	0	0	0	0	0	3	2	**5**
Divisional Commissioners and other top management (Lieutenant General)	0	0	0	1	1	0	5	7	**14**
Provincial Commissioners (Lieutenant General)	0	0	0	0	0	0	6	2	**8**
Top Management	**0**	**0**	**0**	**1**	**1**	**0**	**15**	**11**	**28**
Major General	11	6	9	1	11	4	73	56	**171**
Brigadier	82	43	38	12	35	23	253	164	**650**
Senior Management	**93**	**49**	**47**	**13**	**46**	**27**	**326**	**220**	**821**
Colonel	360	162	125	45	150	78	998	484	**2 402**
Lieutenant Colonel	865	568	222	107	383	211	2 536	1 437	**6 329**
Captain	2 032	1 257	451	228	1 093	492	6 161	3 011	**14 725**
Commissioned Officers	**3 257**	**1 987**	**798**	**380**	**1 626**	**781**	**9 695**	**4 932**	**23 456**
Non-commissioned Officers	**6 388**	**1 689**	**2 089**	**358**	**10 094**	**3 472**	**69 290**	**29 350**	**122 730**
Public Service Act (PSA) employees	**425**	**3 104**	**303**	**673**	**1 308**	**3 130**	**11 305**	**20 040**	**40 288**
Total employees	**10 163**	**6 829**	**3 237**	**1 425**	**13 075**	**7 413**	**90 643**	**54 573**	**187 358**

NATIONAL PROFILE OF THE SOUTH AFRICAN POLICE SERVICE

PROVINCES	9
POLICE STATIONS	1 154, as at 31 March 2020
REPUBLIC OF SOUTH AFRICA POPULATION	58 775 022 (Mid-year estimate, 2019)
RSA LAND SURFACE	1 219 090 km²
ESTABLISHMENT	187 358
SA POLICE SERVICE ACT EMPLOYEES	147 035
PUBLIC SERVICE ACT EMPLOYEES	40 323
POLICE/POPULATION RATIO	1:400

10. ENTITIES REPORTING TO THE MINISTER

The following entities report to the Minister of Police:

Name of entity	Legislation	Financial relationship	Nature of business
The South African Police Service	The South African Police Service Act, 1995 (Act No 68 of 1995)	Department of Police: Vote 23	Creating a safe and secure environment for all the people in South Africa
The Civilian Secretariat for Police Service	The Civilian Secretariat for Police Service Act, 2011 (Act No 2 of 2011)	The CSPS receives its voted funds, as a transfer payment, through the Vote: Police	Providing policy advice and legislative support to the Minister of Police
The Independent Police Investigative Directorate	The Independent Police Investigative Directorate Act, 2011 (Act No 1 of 2011)	The IPID is a separate department and has its own vote	Investigating complaints of alleged criminality and misconduct against members of the SAPS and the Metropolitan Police Service
The Private Security Industry Regulatory Authority (PSIRA)	The Private Security Industry Regulation Act, 2001 (Act No 56 of 2001)	No financial assistance is provided from the Vote: Police	Provide for the regulation of the private security industry

11. ROLL OF HONOUR

From 1 April 2019 to 31 March 2020, a total of 40 members died, while on duty, compared to 26, in 2018/2019[2].

Persal No	Rank	Surname and Initials	Date Of Death
Eastern Cape			
7219864-8	Constable	Soga L	2019-12-04
7150896-1	Constable	Mnukwa L	2019-12-06
Free State			
7063606-1	Sergeant	Poonyane LG	2020-02-08
Gauteng			
0460163-7	Warrant Officer	Molapo MG	2019-05-03
7117262-9	Reservist Constable	Nkala FM	2019-05-23
7208951-2	Constable	Vukeya N	2019-06-20
7133242-1	Constable	Tshabalala D	2019-07-08
7131969-7	Constable	Masimula NE	2019-07-13
7228813-2	Constable	Mudau FR	2019-08-01
7186475-0	Constable	Rankoe M	2019-08-26
0635750-4	Colonel	Mabapa MS	2019-10-17
0635292-8	Captain	Mokonyane NJ	2019-11-05
7217296-7	Constable	Baloyi J	2019-11-16
0916274-7	Warrant Officer	Makhuzeni MB	2019-11-23
0621444-4	Captain	Magasha SA	2019-11-23
0439281-7	Warrant Officer	Lewis J	2020-01-13
0619079-1	Captain	Matjie OI	2020-01-17
7167174-9	Constable	Teffo TS	2020-02-29
KwaZulu-Natal			
7024836-2	Reservist Constable	Mahlangu M	2019-04-08
7216476-0	Constable	Biyela NN	2019-04-21
7054107-8	Sergeant	Sibisi MT	2019-05-24
7068772-2	Sergeant	Nsibande SW	2019-11-14
0636548-5	Warrant Officer	Pillay T	2019-12-22
Limpopo			
7221220-9	Constable	Mathabatha MA	2019-06-16
0487102-2	Warrant Officer	Mudau TS	2020-03-15
Mpumalanga			
7016909-8	Sergeant	Mthombeni PN	2019-10-19
8273559-0	Constable	Sedibe K	2020-02-03
Western Cape			
0442018-7	Warrant-Officer	Meyer CJ	2019-05-04
7206873-6	Constable	Kolina N	2019-05-22
7050629-9	Sergeant	Prins DR	2019-06-25
7213975-7	Constable	Khethiwe S	2019-07-21
7051034-2	Sergeant	Hoffman DD	2019-08-17

ANNEXURE IP17 476

Persal No	Rank	Surname and Initials	Date Of Death
Western Cape			
0617967-3	Warrant-Officer	Joseph HI	2019-09-09
7196135-6	Constable	Sigcu T	2020-01-07
Head Office			
2306307-6	Constable	Langa NN	2019-07-03
8185084-1	Sergeant	Mokoena K	2019-08-08
0487710-1	Warrant Officer	Makhathini RM	2019-11-03
0528993-9	Sergeant	Herbst WP	2020-03-05
0473679-6	Warrant Officer	Grobler-Koonin D	2020-03-05
0437092-9	Lieutenant Colonel	Bruwer LP	2020-03-17

PART B

PERFORMANCE INFORMATION

1. AUDITOR-GENERAL'S REPORT: PREDETERMINED OBJECTIVES

The AGSA currently performs certain procedures on the performance information, to provide reasonable assurance in the form of an audit conclusion. The audit conclusion on the performance against predetermined targets is included in the Report to management. Material findings are reported under the predetermined objectives heading in the Report on the other legal and regulatory requirements section of the Report of the AGSA.

Refer to pages 352 to 359 of the Report of the AGSA, as published in Part E: Financial Information.

2. OVERVIEW OF DEPARTMENTAL PERFORMANCE

2.1 SERVICE DELIVERY AND ORGANISATIONAL ENVIRONMENT

The main objectives of the 2019/2020 Service Delivery Improvement Plan was aimed at ensuring effective and efficient improvement in service delivery, aligned to the four prioritised services. This was to support the achievement of the strategic objectives of the SAPS .

It must be emphasised that the Service Delivery Improvement Plan is a mechanism used by departments to assess the gaps, in terms of meeting their performance levels and set service standards. The SAPS implemented activities/interventions, which were informed by the following:

- Complaints received from service beneficiaries
- Suggestion boxes inputs
- SAPS priorities
- Media reports
- Frontline service delivery visits conducted by the Department: Planning, Monitoring and Evaluation

Through the implementation of Service Delivery Improvement Action Plans, there has been a noticeable difference in some areas pertaining to the services that have been prioritised, especially at police station level.

Service Delivery Improvement Action Plans were implemented, at all 1 154 police stations, nine provinces and 22 divisions and national components. The Service Delivery Improvement Programme, for the 2019/2020 financial year, resulted in the following achievements:

- Service Delivery Charters were implemented, at 75% of the 1 154 stations.
- Implementation of Suggestion Boxes, at 70% of the 1 154 police stations.

Crime awareness campaigns conducted by Detective Services: A total of 1 203 awareness campaigns, were conducted countrywide, to educate learners at schools, churches and the general community, concerning FCS-related crimes. The aim of the awareness campaigns was to encourage communities to report such crimes to the SAPS.

Community outreach programmes conducted by Visible Policing: A total of 75 (23 National and 52 Provincial) community outreach programmes were conducted, in 2019/2020.

The SAPS National Complaints Forum addresses complaints of poor service delivery against the SAPS, which are received through various channels, such as the Presidential Hotline and the SAPS Call Centre for Service Complaints. The type of complaints received ranged from police negligence, police misconduct, poor investigation, poor response, poor communication and complaints against SAPS management or member against member. The Station Service Delivery Action Plan includes actions, not only to monitor the management of complaints in general, but also specifically looks at actions that can improve poor investigation, poor response and poor communication, specifically relating to feedback to victims and complainants. In addition, it ensures that station management does prioritise feedback to complainants, through the proper management and the administration processes relating to the case docket.

Enhanced knowledge of SAPS members on the policing of people with disabilities: The SAPS has developed and approved a Guideline on the Policing of Persons with Disabilities, as well as an Integrated Action Plan for the Policing of People with Disabilities, inclusive of victims of crime with disabilities, but also perpetrators.

African Public Service Day - Both the UN and the AU commemorated Public Service Day, in different ways, albeit with a single common objective, that is, to "celebrate the value and virtue of service". Government departments around the world celebrate this day, by holding various events to recognise the valuable role that public servants play in making improvements in society. The Department of Public Service and Administration (DPSA) is the custodian of Public Service Day, in South Africa. The purpose of Africa Public Service Day, which is celebrated every year, on 23 June, is to:

» recognise the importance of the public service;

» make known the positive contributions and benefits to staff members, the population, civil society, private sector and government;

» motivate public servants to further promote innovation; and

» enhance trust in government.

The SAPS developed and implemented an action plan, which supported the theme – "The Intersection of Youth Empowerment and Migration: Entrenching a culture of Good Governance, Information and Communication Technology and Innovation for Inclusive Service Delivery". The plan was cascaded to all levels of the organisation for implementation.

Public Service Month – Public Service Month is an integrated strategic national event on the calendar of the DPSA and therefore, all national and provincial departments are required to participate, thereby, put in place activities and campaigns to take service delivery to higher productivity. The purpose of Public Service Month is to remind public servants to serve service beneficiaries with heartiness. The 2019 celebrations was celebrated, from 1 September to 4 October

2019 and was commemorated under the theme: "khawuleza": taking services to the people: "we belong, we care, we serve". The SAPS developed and implemented an action plan, which supported the proposed theme. The action plan was cascaded to all levels of the organisation for implementation.

Batho Pele Learning Networks were conducted, in all nine provinces and reached all 1 154 police station Management Information Offices, including the Management Information Offices at all Clusters, as well as a representative from Provincial Strategic Management Offices.

Improving access to Communities, in 2019/2020

A total of four fully fledged police stations were handed over to communities, as well as an additional satellite station, which was opened, aimed at improving accessibility to communities who live in remote areas.

Improve Victim-Friendly Facilities - Providing victim-friendly facilities is a priority for the SAPS. A total of 10 victim-friendly facilities were established, by means of procuring and placing park homes, at identified locations, in 2019/2020. There are 1 090 designated VFRs available, as on 31 March 2020.

2.2 SERVICE DELIVERY IMPROVEMENT PLAN

SERVICE DELIVERY OBJECTIVES, MAIN SERVICES PROVIDED AND SERVICE STANDARDS

SERVICE DELIVERY INFORMATION TOOLS UTILISED TO PROVIDE INFORMATION BY CORPORATE COMMUNICATION AND LIAISON TO INTERNAL AND EXTERNAL CLIENTS

Current/actual information tools	Desired information tools	Actual achievement
External television broadcasts	Informing the public of successes achieved by the SAPS, to provide crime prevention hints and tips, to request assistance to locate wanted and missing persons and to advocate the public participation in the fight against crime.	"When Duty Calls" is broadcasting to external audience. Each episode contains success stories, profiles of policemen and women across the country and also includes missing and wanted persons. A total of 13 episodes were broadcasted, in 2019/2020. Due to the contract ending, 39 episodes could not be broadcasted.

Current/actual information tools	Desired information tools	Actual achievement
Film and television	Assistance to production companies (domestic and international) with police resources and police officials to partake in films, drama series, local "soapies", advertisements and documentaries. Production companies assist the SAPS, by highlighting policing messages, themes, priorities and emergency numbers.	National Instruction 7 of 2018 is in place and production companies are being assisted following its guidelines. National roadshows, to educate members on the National Instruction were conducted, in seven provinces, except for Mpumalanga and the Western Cape Provinces. All 208 requests received from production companies were approved and monitored, in 2019/2020.
Internal publications	Police magazines are used as a medium to communicate successes and information to motivate employees to render an effective service to the public, as well as hints and guidelines that enhance effective service delivery.	12 Police Magazines (one per month) were produced and published, during 2019/2020. A total of 2 790 articles were published on the Police Online, in 2019/2020 with an average of 232 articles, per month.
Salary advice messages	Monthly salary advice and envelope messages to all SAPS employees to communicate information with the aim of motivating employees, to render an effective service to the public, as well as hints and guidelines that enhance service delivery and prevent crime.	A total of 12 salary advice messages and envelopes were developed and approved, in 2019/2020.
Organisational e-mail messages	E-mail messages to all SAPS employees to communicate information with the aim of motivating employees, to render an effective service to the public, as well as hints and guidelines that enhance service delivery and prevent crime.	A total of 2 852 organisational e-mail messages were circulated to all SAPS employees, in 2019/2020. A total of 544 Internal Communication messages were developed and approved, due to requests received and initiatives, in the financial year 2019/2020.
E-mail footers	E-mail footers, with informative messages to motivate employees to render an effective service to the public, as well as hints and guidelines that enhance service delivery and prevent crime.	The following topics were addressed: • Firearm destructions • Service complaints • Early retirement • International cybercrime • Restructuring process • Recruitment indaba • Crime Summit, held in the Western Cape • Budget Vote • Commemoration Day • Police Music and Cultural Association • Police Safety Month • Firearm amnesty • National Police Day • Excellence Awards

Current/actual information tools	Desired information tools	Actual achievement
Media liaison	Informing the public of successes, which are achieved by the police, educating and informing the public on activities, events and projects in the SAPS and on the SAPS, as a Department, through media statements, media invites, handling of the media at events and responding to media enquiries.	100% of events/projects were covered. A total of 217 media statements/invitations were disseminated. A total of 1 220 radio, television and telephonic media enquiries were dealt with. A total of 102 media interviews were conducted. A total of 246 written media enquiries were dealt with. A total of four communication and implementation plans were developed. A total of eight networking sessions were arranged.
Content development	Generation of SAPS content-related material, in terms of speaker notes for principals, opinion pieces and letters to editors and forewords for strategies and booklets.	100% of all requests were acceded to. A total of 156 content-related material was successfully produced, during the period under review.
Media monitoring, analysis and research	Daily monitoring of print, broadcasts and online media, to identify news items and events impacting on the image of the SAPS.	A total of 1 036 monitoring reports were produced and distributed.
	Producing weekly media analysis reports.	A total of 767 000 media statements were distributed internally, as well as externally to media.
SAPS Website	A user-friendly website with updated content relating to the SAPS.	There were a total of 155 836 408 hits on the SAPS website, during 2019/2020. The website was visited 1 295 235 times by 269 392 unique visitors.
SAPS Intranet	An internal website with updated content to keep members informed.	A variety of documents were published on the SAPS Intranet, including circulars, instructions, regulations, directives, policies, news, events and vacancies.
Social media	A communication tool to send information to the public, regarding events, media statements, awareness hints and successes.	The SAPS Twitter Account with 571 896 followers, gained 106 545 followers, during 2019/2020 and posted 9 048 tweets, which had 84 million impressions (number of times users viewed tweets). The SAPS Facebook page with 741 925 followers, received 122 584 new "likes" and 4 767 posts were posted with a reach of 185 million. SAPS Instagram gained 2 408 followers and posted 338 posts that had 27 382 likes.
Public engagements and information sessions	Target specific communication tools/ platforms.	Through stakeholder engagements, imbizos, crime awareness campaigns, public and civil society organisations, e.g. the launch of the MySAPS APP.

Current/actual information tools	Desired information tools	Actual achievement
Internal focused events	Internally communicate focused events.	• National Commemoration Day • Police Safety Month • Release of Crime Statistics • Safer Festive Season Operations • National Police Day • 16 Days of Activism for No Violence against Women and Children • National Excellence Awards • Firearms Amnesty Campaign • COVID-19 Campaign
Marketing campaigns	Advertising on available national advertising platforms.	• Television • Radio • Newspaper • Social media platforms

COMPLAINTS MECHANISMS

The SAPS has implemented the following complaints mechanisms to receive complaints against the Service.

Complaints mechanisms
The following complaints mechanisms are in place: • For emergencies or to report a crime, call 10111 or contact your nearest police station. Please note: 10111 is only used for crime related emergencies and not for service delivery complaints against the SAPS. • Report a crime anonymously, contact Crime Stop on 08600 10111. • Contact the SAPS Service Complaints Centre to register a complaint on SAPS Service Delivery, on 0800 333 177 or send a fax to 012 393 5452 or e-mail: complaintsnodalpoint@saps.gov.za. • For general enquiries, suggestions and/or compliments, contact SAPS Corporate Communications and Liaison on 012 393 1000.

2.3 KEY POLICY DEVELOPMENTS AND LEGISLATIVE CHANGES

There were no key policy developments and legislative changes, in 2019/2020.

3. STRATEGIC OUTCOME-ORIENTED GOALS

The NDP, 2030, issued in 2012, sets out a long-term vision for the country and provides a programme of action, through which South Africa can advance radical economic transformation, through development planning. The MTSF (2019-2024) reflects the NDP, 2030 Five-Year Implementation Plan and its purpose is to outline the Government strategic intent in implementing the electoral mandate. The MTSF (2019-2024) is also informed by the recommendations of the country's 25 Year-Review and its specific recommendations for the next five years. It provides the strategic shift that marks the transition from the fifth administration to the sixth administration and the shift in strategic direction from the first 25 years, to the second 25 years of democratic governance. The structure of the MTSF (2019-2024) provides a situational analysis outlining the developmental challenges

we are facing as a country, particularly in addressing the triple challenges of poverty, inequality and unemployment. The priorities, which will be achieved through more focused implementation, coordination and integration by the various levels of government, including State-owned enterprises, the private sector and civil society, in which the SAPS is involved are Priority 6: Social Cohesion and Safe Communities and Priority 7: A Better Africa and World.

PRIORITY 6: SOCIAL COHESION AND SAFE COMMUNITIES

A socially cohesive and safe South Africa requires a series of intersecting interventions that unite our country. This vision pivots on instilling a democratic culture, of participation and equality, but also requires dedicated interventions, to address actions that undermine these values. Achieving social cohesion and safe communities requires strengthening criminal justice platforms, police services and community participation in public policing. An underlying layer is improving the trust in our public sector and its institutions. The NDP, 2030 and the MTSF (2019-2024) prioritise the improvement in corruption perception, reduced organised crime, improvement of feelings of safety and security in communities, including improved police visibility and the reduction of violent crime and levels of violent crime against women and children, which also necessitates the thorough and responsive investigation of crimes that are reported to the SAPS and a well-defended and secured cyberspace.

The SAPS will focus on the reduction of levels of contact crime, targeting the 30 high-crime weight police station precincts, countrywide, with the highest reported incidence of contact crime. The responsive policing of Gender-Based Violence and Femicide (GBVF) has been included, to specifically direct SAPS members, with regard to the manner in which GBVF is policed. Fiscal constraints do not allow for dramatic increases in the number of operational SAPS members, over the medium-term, in order to increase the actual number of SAPS members that are deployed. This requires that the SAPS adopt an innovative approach to increasing visibility, using stakeholders as force-multipliers, in support of the policing capability at local level. The SAPS will, therefore, intensify the roll-out of the Community-in-Blue and Traditional Policing Concepts and through direct engagement with various stakeholders in all sectors, at all levels, facilitate the implementation of the Safer Cities Framework in identified cities, starting with the 10 pilot cities, in 2020/2021. The SAPS will also contribute to the revitalisation of CPFs, as they provide the critical interface between the police at local levels and the communities that they serve and engage these structures in assisting the SAPS to determine the impact of policing methods at a local level. The incidence of organised crime, commercial crime and illegal mining also pose a threat to individual communities, as well as to the economy of the country. The SAPS will, therefore, also focus on achieving a reduction in the incidence of organised crime and serious commercial crime, in addition to providing specialised operational support, in respect of identified illegal mining operations. The country is currently grappling with crippling effects of serious corruption and fraud, which necessitates its prioritisation in the NDP, 2030 and the MTSF (2019-2024). The public simply wants to see concrete action taken by the CJS, in response to the multitude of allegations of serious corruption, in both the public and private sectors, which have surfaced in the recent past. The dismantling of clandestine illicit drug laboratories is linked directly to the organised crime outcome in the NDP, 2030 and MTSF (2019-2024), while the successful investigation of cyber-related crime investigative support case files, supports the outcome associated with ensuring an effective response to cybercrime. Reduced organised crime, which has been identified as a key outcome in the NDP, 2030 and MTSF (2019-2024), has guided the inclusive actions related specifically to drug syndicates and organised criminal groups, namely; the neutralisation of identified drug syndicates and organised criminal groups, as well as arrests for dealing in illicit drugs.

IMPROVEMENT IN CORRUPTION PERCEPTION

Fraud and corruption is a serious national security threat that undermines the authority of the State and the economic development of the country. The country faces intolerably high levels of corruption within the public and private sectors, which undermine the rule of law and impede Government's efforts to achieve its socio-economic development and service delivery objectives and overcome inequality. To ensure improvement in the corruption perception, the Department achieved a conviction rate of 100% for serious fraud and corruption in the public sector and 98,15% in the private sector, against a set target of 70% and 97%, respectively, in 2019/2020. The overachievement is due to the increased capacity of investigating officers, as well as positively conducted Section 252A operations, in terms of the Criminal Procedure Act, 1977, focused consultation with the NPA to finalise the Prosecutor Guided Investigation on time, for the case to be on the court roll and adhering to prosecutors remarks to finalise the investigations and continuous application of a multidisciplinary investigative approach, as well as good stakeholder involvement, which includes consultation with prosecutors during investigations.

REDUCED ORGANISED CRIME

Serious organised crime continues to be a threat to the authority of the State and the safety and security of the citizens of South Africa. In particular, drug syndicates and those perpetrating illegal mining activities, pose a major risk to the safety of law-abiding citizens. Organised crime manifests in several forms, which significantly destabilise communities, by undermining levels and perceptions of safety and security. Organised criminal groups and syndicates use illegal and legal methods of targeting vulnerable sectors of society, primarily by exploiting inequitable socio-economic imbalances that are inherent in the South African Society and thereby, also posing a major threat to the legitimate economy. The crimes committed by organised groups or syndicates are "ordinary crimes", such as common robbery and house breaking, but it also involves crimes that have a more violent and prolonged impact, such as armed robbery, murder and assault with the intent to cause Grievous Bodily Harm (GBH). Illegal drugs are a key feature of organised crime that occurs at local levels, as sophisticated organised drug syndicates have embed themselves in local communities. The NDMP seeks to provide an integrated response from all sectors of society, involving policy reforms, the coordinated implementation activities and deployment of resources. Clandestine laboratories are used for the manufacturing of illicit drugs, such as methamphetamine. These laboratories present an insidious risk to the community, not only for illicit drug abuse, but also because of the toxic chemicals that are generated during the drug manufacturing processes, which can result in the contamination of buildings, soil, water and air within or close to the proximity of the laboratory.

Serious organised crime are national priority offences, investigated through Organised Crime Project Investigations. These crimes include, *inter alia,* the killing of police officials, Cash-in-Transit (CIT) robberies, narcotics, non-ferrous metals and the theft of copper cables, car and truck hijacking, as well as crimes regulated by the Prevention and Combating of Corruption Activities Act, 2004 and the Prevention of Organised Crime Act, 1998. In relation to the contribution towards the reduction of drug syndicates through the implementation of the NDMP, the Department dismantled 100% or 24 from a total of 24 identified clandestine laboratories, with 56 arrests. The successful dismantling of identified clandestine laboratories can be attributed to the prioritisation of the investigation of clandestine laboratories. Furthermore, 70% or 7 from a total of 10 registered serious organised crime project investigations were successfully closed, against a target of 72%. The dismantling of

clandestine laboratories and the closure of serious organised crime project investigations will remain priorities for the Department, as they are directly linked to the organised crime outcome, in the MTSF (2019-2024). The neutralisation of identified drug syndicates and identified organised criminal groups or syndicates, with arrests and the number of charges and arrests for dealing in drugs are new performance indicators in the Department's APP for 2020/2021 and formal measurement will, therefore, only commence in the second year of the MTSF (2019-2024).

Illegal mining is on the rise in South Africa and presents challenges that need to be addressed from a range of perspectives. It takes place at abandoned mines and at operating mines with illegal miners often operating under dangerous conditions. Miners enter mostly abandoned shafts, travelling underground where they may live for several days at a time, risking their lives and the lives of others. Illegal mining operations are responded to by the SAPS, through medium to high-risk incidents by its specialised interventions capability, namely; the National Intervention Units, where normal policing requires specialised tactical intervention, as per the approved mandate of the respective units. The reduction of illegal mining is a joint responsibility between the Department of Minerals and Energy and the SAPS. The application of law enforcement to reduce illegal mining, from a SAPS perspective, involves all of the SAPS's operational capabilities, including the DPCI. This output will be developed further, during the MTSF period, to possibly include other dimensions of the law enforcement role that the SAPS is required to play, in respect of illegal mining. Although measurement will only formally commence, in the 2020/2021 financial year, all seven identified illegal mining operations were responded to, in 2019/2020, in relation to requests received.

A WELL DEFENDED AND A SECURED CYBERSPACE

The 4IR implies significant technological advancements for the country, but also involves substantial risk. The threat to the South African economy and population posed by the malicious and criminal targeting of the cyberspace is significant and must be countered, through the appropriate development and implementation of legislative, policy, strategic and operational responses. These responses require a collaborative, preventive effort from all sectors, championed by the JCPS Cluster. Cybercrime has been described as being relentless and having a catastrophic impact on economic growth, jobs and investment. Providing specialised investigative support to prevent, combat and investigate cybercrime, requires high-speed analytical thinking and capability in digital forensics. Cyber-related crime case files refer to internet-related fraud and contravention of the Electronic Communications and Transactions Act, 2002. The "case files finalised" refers to case files with an element of cyber-related crime, which has been fully investigated or where specialised investigative support has been provided. Progress relating to the successful investigation of specialised cyber-related crime investigative support case files, is 80,22% or 73 from a total of 91 against a target of 55%, in 2019/2020. The establishment of a Cyber Centre, the development and implementation of a multidisciplinary Cybercrime Strategy and the improvement of the SAPS and the JCPS Cluster's capabilities to address this threat, will be a key feature of medium-term planning.

INCREASED FEELINGS OF SAFETY IN COMMUNITIES

Unacceptably high levels of crime in South Africa, especially serious and violent crime, result in people of South Africa living in fear and feeling unsafe, particularly vulnerable groups, such as women and children. Therefore, ongoing emphasis is placed on the reduction of contact crime and crimes committed against women and children. Contact crime refers to crime, in which the

victims are the targets of violence or instances where the victims are in the vicinity of property, targeted by criminals. The crimes in question are; sexual offences, all categories of assault, murder, attempted murder, common robbery and robbery with aggravating circumstances. In some instances, these crimes, particularly if related to domestic violence, are committed within the confines of residences. As a result, the SAPS cannot easily address these crimes by conventional policing strategies. Liquor, substance abuse and environmental design factors also play a key role in the commission of these crimes. Crime statistics indicate an increase of 0,6% in contact crime, from 618 472, in 2018/2019 to 622 206, in 2019/2020. Attempted murder and assault GBH decreased with 1,9% and 2,5% respectively, whereas murders and sexual offences increased with 1,4% and 1,3% respectively, assault common with 2,1% and robbery with aggravating circumstances with 2,8%. Common robbery indicated the highest increase, namely; 2,8%. Crimes against women and children remains a concern, despite various initiatives by the Department, Government and other relevant stakeholders, to curb this scourge. Crimes against women indicated a 4,8% decrease, from 179 683, in 2018/2019 to 171 070, in 2019/2020. Murder charges decreased by 2,7%, sexual offences by 15,0%, attempted murder by 6,7% and assault GBH by 6,1%. However, assault common increased by 0,6%. A reduction of 6,4% was recorded for crimes against children, from 45 229, in 2018/2019 to 42 348, in 2019/2020. Murder increased by 7,0%, sexual offences by 9,5%, attempted murder by 4,0%, assault GBH by 4,0% and common assault, by 1,3%. Although crimes reported against women and children decreased, in 2019/2020, the target of a reduction of 6,7% was not achieved.

The SAPS has identified 30 police stations, referred to as the "high crime weight stations", for focused attention over the short and medium-terms, which will translate into the implementation of specific proactive and reactive interventions, on an annual basis. These stations will be reviewed on an annual basis, with the express intention of monitoring the application of these interventions, which relate to core policing functions, including the prevention and investigation of crime. The supposition underlying the identification of these stations is that, through the implementation of the aforementioned interventions, the reported incidence of the 17 community-reported crimes, including contact crime, will be sustainably reduced. The high crime weight stations are associated with, but very distinct in nature, from hotspots and hotspot areas, which may emerge during the course of a year, depending on a range of factors that contribute to substantially elevated levels of socio-economic disruption and crime and dramatically reduced perceptions of safety and security. The addressing of these hotspots requires a unique policing methodology, which includes two fundamental approaches, namely; the stabilisation approach and the normalisation approach. A response plan was developed, in order to address areas of underperformance. In accordance with the approved plan, stabilisation and high density basic policing interventions are conducted in all provinces. These interventions are complemented by normalisation interventions, such as ministerial izimbizo; community engagement by the Minister and SAPS leadership in all provinces; community awareness programmes; youth crime prevention projects; the utilisation of reservists; the enforcement of the Liquor Act, by police stations; weekly compliance inspections at liquor outlets; the declaration of firearm amnesty, resulting in a reduction of the number of firearms in circulation; the implementation of the GBV Strategy; the implementation of the collaborative "Eyes and Ears" initiative, in Gauteng between the SAPS, Business Against South Africa and the Private Security Industry; and the intensification of social crime prevention campaigns, relating to drugs and substance abuse, dangerous weapons and sexual offences.

Crime is a social phenomenon that cannot be prevented by the police alone, hence partnerships are critical in the fight against crime. CPFs play a pivotal role in the building of partnerships, sharing information between the police and the community and tapping into resident's knowledge and expertise. Consultative and partnership policing fosters good relationships between a vast number

of stakeholders; including Government, municipalities, businesses, civil society and other interest groups. The centrality of CPFs, in the fight against crime, can, therefore, not be over emphasised. It remains an invaluable and indispensable platform, for both problem identification, as well as problem solving. During 2019/2020, the SAPS implemented 99,57% or 1 149, from a total of 1 154 functional CPFs, at police stations, against a target of 99%. Boetsap, Kubusiedrift and Mokopong Police Stations are exempted from having a CPF, as they have no community in the policing precinct, only seasonal workers. Qhasa, in the Eastern Cape and Moletlane, in the Limpopo Province, do not have functional CPFs, as they are newly established police stations.

In support of a digital integrated process for the booking of accused persons, to obtain full person profiles and the identification and verification of all accused persons, witnesses and victims, in support of increased feelings of safety in communities, the Department is in a process to obtain clarification from the Integrated Justice System (IJS), in terms of the implementation of the SAPS Integrated Person Management Programme and the utilisation of digital systems for multi-model biometric person identification and verification.

Increased police visibility will be a key element of the policing of both urban and rural environments, but will not necessarily be achieved through dramatic increases in the actual number of police officers. Police visibility is based largely on public perception of the presence of operationally ready, uniformed police officers. Police officers must be more visible in areas where the public feel vulnerable and should respond to calls for assistance by the public, particularly in instances where life and limb are at risk. Fiscal constraints do not allow for dramatic increases in the number of operational SAPS members, over the medium-term and the SAPS, in order to increase the actual number of SAPS members that are deployed. This requires that the SAPS adopt an innovative approach to increasing visibility, using stakeholders as force-multipliers, in support of the policing capability at local level. There are several simple solutions to increasing police visibility, which include ensuring that all police vehicles are properly visible and are deployed in areas where citizens congregate or where routes are used to travel from one point to another. The Community Policing Strategy focuses on a more holistic approach to harness and mobilise available resources, across all sectors, including those capabilities directly involved in law enforcement, such as the various Metropolitan Police Departments and those capabilities, which have a direct interest in safety and security, such as traditional leaders, the business sector, health and education sectors and local communities. In 2020/2021, it is intended to operationalise the concept of community policing, which will have the Traditional Policing Concept that was approved, in September 2019, embedded as a key feature and to stimulate active citizenry and citizen participation in the fight against crime. In addition, the Community-in-Blue Concept, that was approved, in February 2019, will focus on increasing local community participation in social crime prevention and environmental design initiatives, institutionalise community participation within situational and developmental crime prevention, collaborate with the SAPS in increasing visibility and operational capacity and enhancing community-based intelligence. The SAPS will, therefore, intensify the roll-out of the Community-in-Blue and Traditional Policing Concepts and through direct engagement with various stakeholders in all sectors, at all levels, facilitate the implementation of the Community-in-Blue Concept, in all nine provinces and the implementation of the Traditional Policing Concept in one province, by 31 March 2021.

A Safer Cities Summit was hosted, during March 2019, in the Gauteng Province. The purpose of the 2019 Safer Cities Summit was to institute a platform for the establishment of the Safer Cities Concept in South Africa, within the context of international and national developments and good practices. After the Summit, a recommendation was made that the Safer Cities Concept should be developed into the Safer Cities Framework for South Africa, which will provide direction for the development and implementation of individual, multidisciplinary strategies by participating cities.

A Safer Cities Working Group was established, in July 2019, to develop the Framework, as well as a terms of reference. Implementation of the South African Safer Cities Framework will be piloted, in 10 cities that have been identified, in all provinces, by 31 March 2021.

PRIORITY 7: A BETTER AFRICA AND WORLD

Over the next five years, Government will continue working towards global peace, people-centred development and prosperity for all. To create a better South Africa and to contribute to a better and safer Africa in a better world, the vision the South African Government aspires to, is one where South Africa, informed by its national interests, is a globally competitive economy and an influential and leading member of the international community. South Africa should be a key promoter and contributor to sustainable development, democracy, the rule of law, human rights and peace and security, within a safe, peaceful and prosperous Southern African Region and Africa, as well as a fair and just world. The NDP, 2030 and the MTSF (2019-2024) prioritise increased foreign direct investment into South Africa and increased regional and global integration.

COUNTRY OBLIGATION TO THE SOUTHERN AFRICAN DEVELOPMENT COMMUNITY

In fulfilment of South Africa's obligations towards the UN, AU and the SADC, the SAPS renders specialised policing services to neighbouring countries, in accordance with the UN Security Council Resolutions, AU Constitutive Act and SADC Agreements, as agreed by the Republic of South Africa (RSA) Cabinet. During 2019/2020, a total of 69 SAPS members were deployed in AU/UN peacekeeping missions. These deployments refer to peace-making, peace keeping, peace building, preventative diplomacy and peace enforcement.

A total number of 69 members were deployed in AU/UN peacekeeping missions, in 2019/2020, including 32 members, in South Sudan and 35 members, as police advisors, in Darfur. One member is appointed in the UN Office of Rule of Law and Security Institution, in New York and one female member is appointed as the Senior Police Coordinator, in Somalia. Duties for missions in Darfur, include the protection of civilians, confidence and capacity building patrols in the Internally Displaced Persons Camps and Villages, monitoring and mentoring the local police on accepted standards of policing and monitoring crime investigation and security within the camps.

According to the SADC Standby Force Agreement and other mandating authorities, a total of 500 members must be trained and on standby for deployment, annually, as per cabinet approval. During the reporting period, a total of 584 members were trained and placed on standby for deployment in peacekeeping missions.

PROMOTE REGIONAL, GLOBAL INTEGRATION AND IMPROVE PEACE, SECURITY AND STABILITY ON THE CONTINENT

As part of efforts to address the challenges posed by transnational crime, Police Liaison Officers are placed in strategic positions, especially SADC countries and countries that have trade agreements with South Africa, across the globe. Police Liaison Officers are attached to South African Embassies and High Commissions abroad and perform functions like the coordination of information on transnational organised crime, such as drug trafficking and terrorism-related investigations; the implementation of foreign policy, in accredited countries; assisting South African Nationals, who are visiting accredited countries, who are victims or perpetrators of crime; provide feedback on requests regarding the tracing of wanted suspects; maximising operational intelligence effectiveness, through INTERPOL; and the coordination of visits by SAPS members to host countries. The deployment of Police Liaison Officers, results in the arrest of a large number of drug couriers at our international airports and elsewhere and can directly be attributed to the cooperation between the Police Liaison Officers with other international law enforcement agencies. Nine Police Liaison Officers are currently placed, in SADC countries, which include Zimbabwe Southern Regional Bureau, Namibia, Eswatini, Angola, Lesotho, Botswana, the Democratic Republic of Congo, Zambia and Mozambique. Two Police Liaison Officers have been approved to be placed, in Tanzania and Malawi, but the COVID-19 pandemic is currently delaying the deployment of these Police Liaison Officers. As soon as Lockdown Regulations allows travelling and approval has been obtained from Department of International Relations and Cooperation (DIRCO), the placement of the two Police Liaison Officers will be finalised. Pertaining to Mauritius, Madagascar and the Seychelles, the current threat is of such a nature that it will not be cost effective to deploy Police Liaison Officers to these countries at this stage. There is also not a South African Embassy or a High Commission, in the Seychelles and should the placement of a Police Liaison Officer be required, in Mauritius, the appointed Police Liaison Officer will also serve the Seychelles. An additional 13 Police Liaison Officers are currently placed in RSA trade agreement countries, namely; the United Kingdom, France, India, Nigeria, Pakistan, Brazil, Netherlands, Kenya, Thailand, Peru, Zimbabwe and Senegal. One Police Liaison Officer has been approved for placement, in China, but the COVID-19 pandemic is currently delaying the deployment of this Police Liaison Officer. Apart from the challenges experienced, due to the COVID-19 pandemic and language proficiency required by some Police Liaison Officers, INTERPOL reports that they are currently having an excellent working relationship with DIRCO and at the missions where Police Liaison Officers are placed. The SAPS will interact with DIRCO pertaining to tailor-made language proficiency courses for approved placements, to overcome language barriers.

4. PERFORMANCE INFORMATION BY PROGRAMME

4.1 PROGRAMME 1: ADMINISTRATION

PROGRAMME OVERVIEW
The purpose of the Administration Programme is to provide strategic leadership, management and support services to the South African Police Service and provide for the functions of the CSPS. The programme objective is to regulate the overall management of the Department and provide centralised support services. The Administration Programme comprises the following subprogrammes: • **Ministry** • **Management** • **Corporate Services** Tables 1 and 2 below, outline the actual performance for strategic performance indicators and annual performance indicators, against set targets for the subprogrammes under Programme 1.

STRATEGIC PERFORMANCE INDICATORS, PLANNED TARGETS AND ACTUAL ACHIEVEMENTS

Table 1: Actual performance against targets

Objective statement	Performance indicator	Actual achievement 2016/2017	Actual achievement 2017/2018	Actual achievement 2018/2019	Planned target 2019/2020	Actual achievement 2019/2020	Deviation from planned target to actual achievement 2019/2020	Comment on deviation
Establish an adequate human resource capability	Percentage of minimum workforce maintained against the approved establishment	98,25%, in terms of the approved target of 198 062 (the establishment of the SAPS was 194 605, on 31 March 2017).	99,93%, in terms of the approved target of 193 431 (the establishment of the SAPS was 193 297, on 31 March 2018).	99,92%, in terms of the approved target of 192 431 (the establishment of the SAPS was 192 277, on 31 March 2019).	Maintain a minimum workforce of 98,00%, in relation to the approved establishment of 191 431[3]	97,87%, in terms of the approved target of 191 431 (the establishment of the SAPS was 187 358, on 31 March 2020).	-0,13% points	Target not achieved. The recruitment of entry level appointments to fill vacant posts, which was supposed to be finalised before the end of March 2020, were placed on hold, due to COVID-19 lockdown restrictions. A total number of 786 employees took early retirement without penalties, in March 2020, as part of the offer from Government for early retirement, in order to reduce the public service wage bill.

Objective statement	Performance indicator	Actual achievement 2016/2017	Actual achievement 2017/2018	Actual achievement 2018/2019	Planned target 2019/2020	Actual achievement 2019/2020	Deviation from planned target to actual achievement 2019/2020	Comment on deviation
Transform and professionalise the Service	Percentage of learners assessed and declared competent upon completion of their training, in terms of the Training Provisioning Plan (TPP)	A total of 126 481 learners attended training and 125 470 or 99,20% were declared competent upon completion of their training.	A total of 77 843 learners attended training and 76 962 or 98,87% were declared competent upon completion of their training.	A total of 71 815 learners attended training and 71 131 or 99,05% were declared competent upon completion of their training.	97,00% of 81 858	A total of 92 481 learners attended training and 91 765 or 99,23% were declared competent upon completion of their training.	2,23% points	Target achieved. Additional funding from the to present more courses. The reprioritisation of the TPP, due to the emerging priority on GBV from the Office of the Minister.
Improvement of infrastructure development and public access to policing services	Percentage of planned police facility projects[4] completed, as per the SAPS Infrastructure Development Programme	67,97% (452 from a total of 665) of planned police facility projects.	79,45% (201 from a total of 253) of planned police facility projects.	43,30% (42 from a total of 97) of planned police facility projects.	80,00% (161)	81,37% (131 from a total of 161) of planned police facility projects.	1,37% points	Target achieved. Additional intervention on capital works by senior management. The appointment of consultants could not be processed, due to outstanding reassessments of the condition of the police stations.

Objective statement	Performance indicator	Actual achievement 2016/2017	Actual achievement 2017/2018	Actual achievement 2018/2019	Planned target 2019/2020	Actual achievement 2019/2020	Deviation from planned target to actual achievement 2019/2020	Comment on deviation
Improvement of infrastructure development and public access to policing services								The execution of planned maintenance projects was delayed, as the scope of the work had to be revised, due to deteriorated buildings. Planning and design phases were conducted, during 2012/2013 but not executed.
Enhancing Information Systems/ Information and Communication Technology (IS/ ICT)[5], to support the business objectives of the SAPS	Percentage of identified ICT Infrastructure deliverables achieved	82,00% of identified ICT infrastructure sites modernised, implemented and maintained.	88,00% of identified ICT infrastructure sites modernised, implemented and maintained.	73,00% of identified ICT infrastructure deliverables achieved.	80,00%[6]	75,00%	-5,00% points	Target not achieved. Lengthy procurement process for contracts of Local Area Network (LAN) and video conferencing by the State Information Technology Agency (SITA) Supply Chain Management. Delays in the processing of Xyplex replacement procurement. CJS funds was only allocated, in November 2019.

Objective statement	Performance indicator	Actual achievement 2016/2017	Actual achievement 2017/2018	Actual achievement 2018/2019	Planned target 2019/2020	Actual achievement 2019/2020	Deviation from planned target to actual achievement 2019/2020	Comment on deviation
Enhancing Information Systems/ Information and Communication Technology (IS/ ICT), to support the business objectives of the SAPS	Percentage of prioritised Information Systems (IS) solutions deliverables achieved	89,00% of prioritised IS Solutions developed, implemented and maintained within the SAPS.	83,00% of prioritised IS Solutions developed, implemented and maintained within the SAPS.	78,00% of prioritised IS Solutions deliverables achieved.	85,00%	76,00%	-9,00% points	Target not achieved. The non-appointment of skilled resources by the SITA, for the development of Integrated Persons Management (IPM) and Investigation Case Docket Management System (ICDMS) Investigate Case Solutions. A delay in the appointment of technical resources by the SITA, to implement Electronic Telephone Management (E-Tel) and the National Photo Image System (NPIS).

Objective statement	Performance indicator	Actual achievement 2016/2017	Actual achievement 2017/2018	Actual achievement 2018/2019	Planned target 2019/2020	Actual achievement 2019/2020	Deviation from planned target to actual achievement 2019/2020	Comment on deviation
Enhancing Information Systems/ Information and Communication Technology (IS/ ICT), to support the business objectives of the SAPS								A delay in establishing contracts related to the Automated Fingerprint Identification System, Enterprise Risk Management System, Field Terminal Devices, the Emergency Response System/ Fleet Management Solution, Radio Frequency Identification and LabWare Forensic Services.
Inculcate a culture of uncompromising compliance and performance management	Audit opinion on the SAPS's predetermined objectives by the Auditor-General of South Africa	The AGSA raised material findings on predetermined objectives.	The AGSA raised material findings on predetermined objectives.	The AGSA raised material findings on predetermined objectives.	Unqualified audit	The AGSA raised material findings on predetermined objectives.	-	Target not achieved. As a result of the COVID-19 pandemic, the scope on the audit of performance information was limited to Programme 2, in order to ensure compliance with the lockdown regulations and to exercise extraordinary measures to ensure the safety of both SAPS and AGSA employees.

ANNUAL PERFORMANCE INDICATORS, PLANNED TARGETS AND ACTUAL ACHIEVEMENTS

Table 2: Actual performance against targets

Objective statement	Performance indicator	Actual achievement 2016/2017	Actual achievement 2017/2018	Actual achievement 2018/2019	Planned target 2019/2020	Actual achievement 2019/2020	Deviation from planned target to actual achievement 2019/2020	Comment on deviation
Establish an adequate human resource capability with emphasis on prioritised areas	Number of prioritised areas with approved fixed establishments	New performance indicator, in 2019/2020.	New performance indicator, in 2019/2020.	New performance indicator, in 2019/2020.	4 prioritised areas[7] with approved fixed establishments, by 30 June	1 prioritised area with an approved fixed establishment.	-3	Target not achieved. The work study investigations that are inclusive of the fixed establishments for FCS and Organised Crime were finalised, but not yet approved by the Accounting Officer. The work study investigation for Crime Intelligence was finalised, but the Accounting Officer requested that the structure and capacity requirements be revisited.

Objective statement	Performance indicator	Actual achievement 2016/2017	Actual achievement 2017/2018	Actual achievement 2018/2019	Planned target 2019/2020	Actual achievement 2019/2020	Deviation from planned target to actual achievement 2019/2020	Comment on deviation
Transform and professionalise the Service	Percentage of disciplinary hearings finalised within the prescribed time frame	88,77% (3 691 from a total of 4 158 disciplinary cases were finalised within 60 calendar days).	90,91% (1 761 from a total of 1 937 disciplinary cases finalised within 60 calendar days). A total of 134 cases were still pending within 60 calendar days.	91,73% (1 919 from a total of 2 092 disciplinary cases finalised within 60 calendar days). A total of 154 cases were still pending within 60 calendar days.	90,00% of disciplinary hearings finalised within 60 calendar days	90,22% (1 153 from a total of 1 278 disciplinary cases finalised within 60 calendar days). A total number of 154 cases were still pending within the 60 calendar days.	0,22% points	Target achieved. Early warning systems. The implementation of weekly monitoring tools. Performance letters were sent to the Provinces/ Divisions, on monthly basis. The conducting of Provincial visits.
	Percentage of finalised service terminations submitted to various pension funds[8] within the prescribed time frame	Revised performance indicator, in 2019/2020.	Revised performance indicator, in 2019/2020.	Revised performance indicator, in 2019/2020.	70,00% finalised service terminations submitted to various pension funds within 60 working days from the date after the employee exit the Service	93,86% (5 318 from a total of 5 666).	23,86% points	Target achieved. Daily monitoring of PERSAP 2.21.57 Report[9]. Daily engagement with Provincial/ Divisional administrators by team leaders.

Objective statement	Performance indicator	Actual achievement 2016/2017	Actual achievement 2017/2018	Actual achievement 2018/2019	Planned target 2019/2020	Actual achievement 2019/2020	Deviation from planned target to actual achievement 2019/2020	Comment on deviation
Transform and professionalise the Service								Monthly performance letters issued to Personnel Management Provincial Heads and Divisional Support Heads. Provincial/ Divisional visits by Service Terminations Management and the provisioning of workshops, to address challenges and developments in the environment.
	Percentage of learners assessed and declared competent upon completion of their training in the following prioritised training areas:- Visible Policing and Detective Services							
	Crime Prevention	New performance indicator, in 2019/2020.	New performance indicator, in 2019/2020.	New performance indicator, in 2019/2020.	97,00% of 17 774	99,97% (A total number of 30 020 learners were trained and 30 012 were declared competent).	2,97% points	Target achieved. More members were trained, due to the Government Electoral Act, 1993 (Act No 73 of 1993).

ANNEXURE IP17 500

Objective statement	Performance indicator	Actual achievement 2016/2017	Actual achievement 2017/2018	Actual achievement 2018/2019	Planned target 2019/2020	Actual achievement 2019/2020	Deviation from planned target to actual achievement 2019/2020	Comment on deviation
Transform and professionalise the Service	Crimes committed against women and children	New performance indicator, in 2017/2018.	99,66% (A total number of 11 007 learners were trained and 10 970 were declared competent).	99,54% (A total number of 8 663 learners were trained and 8 623 were declared competent).	97,00% of 7 326	99,73% (A total number of 8 244 learners were trained and 8 222 were declared competent).	2,73% points	Target achieved. Additional funding from the CJS to present more courses. The reprioritisation of the TPP, due to the emerging priority on GBV from the Office of the Minister.
	Crime Investigations	New performance indicator, in 2017/2018.	99,21% (A total number of 8 857 learners were trained and 8 787 were declared competent).	99,40% (A total number of 9 002 learners were trained and 8 948 were declared competent).	97,00% of 6 795	99,00% of (A total number of 9 509 learners were trained and 9 414 were declared competent).	2,00% points	Target achieved. Additional funding from the CJS to present more courses. The reprioritisation of the TPP, due to the Anti-Gang Project.

Objective statement	Performance indicator	Actual achievement 2016/2017	Actual achievement 2017/2018	Actual achievement 2018/2019	Planned target 2019/2020	Actual achievement 2019/2020	Deviation from planned target to actual achievement 2019/2020	Comment on deviation
Transform and professionalise the Service	Percentage of learners assessed, and declared competent upon completion of their training in the following prioritised training areas:- Specialised capabilities							
	Public Order Poling	New performance indicator, in 2017/2018.	99,73% (A total number of 7 405 learners were trained and 7 385 were declared competent).	99,81% (A total number of 7 202 learners were trained and 7 188 were declared competent).	97,00% of 6 780	99,87% (A total number of 10 546 learners were trained and 10 532 were declared competent).	2,87% points	Target achieved. More members were trained on crowd management and dangerous weapons, than planned.
	Forensic Science	New performance indicator, in 2017/2018.	99,04% (A total number of 10 584 learners were trained and 10 482 were declared competent).	97,62% (A total number of 4 042 learners were trained and 3 946 were declared competent).	97,00% of 1 877	97,81% (A total number of 2 465 learners were trained and 2 411 were declared competent).	0,81% points	Target achieved. Additional funding from the CJS to present more courses. The reprioritisation of the TPP, due to the Anti-Gang Project.
	Crime Intelligence	New performance indicator, in 2019/2020.	New performance indicator, in 2019/2020.	New performance indicator, in 2019/2020.	97,00% of 561	99,50% (A total number of 1 202 learners were trained and 1 196 were declared competent).	2,50% points	Target achieved. Additional funding from the CJS to present more courses. More courses were presented, as a result of the reprioritisation of the TPP, due to the Anti-Gang Project.

ANNEXURE IP17 502

Objective statement	Performance indicator	Actual achievement 2016/2017	Actual achievement 2017/2018	Actual achievement 2018/2019	Planned target 2019/2020	Actual achievement 2019/2020	Deviation from planned target to actual achievement 2019/2020	Comment on deviation
Transform and professionalise the Service	Cybercrime	New performance indicator, in 2018/2019.	New performance indicator, in 2018/2019.	99,60% (A total number of 1 243 learners were trained and 1 238 were declared competent).	97,00% of 935	99,78% of (A total number of 903 learners were trained and 901 were declared competent).	2,78% points	Target achieved. The planned percentage of learners to be trained and declared competent was achieved. However, the planned targeted number of learners who were trained and declared competent was not achieved, due to non-attendance and withdrawals.
	Percentage of operational personnel declared competent in the modules: Legal Principles and the Use of Firearms: Handgun	Performance indicator not measured, in 2016/2017.	95,78% (A total number of 114 389 from a total of 119 424 operational personnel were declared competent).	96,86% (A total number of 114 813 from a total of 118 536 operational personnel were declared competent).	95% of 4 089	91,99% (A total number of 2 559 from a total of 2 354 operational personnel were declared competent).	-3,01% points	Target not achieved. A shortage of training aids. The Introductory Police Development Learning Programme could not take place, due to the renovation of the SAPS Academy Mthatha and awaiting the handing over from Department of Public Works.

Objective statement	Performance indicator	Actual achievement 2016/2017	Actual achievement 2017/2018	Actual achievement 2018/2019	Planned target 2019/2020	Actual achievement 2019/2020	Deviation from planned target to actual achievement 2019/2020	Comment on deviation
Transform and professionalise the Service	Percentage of Independent Police Investigative Directorate (IPID) recommendations initiated within the prescribed time frame	100% (from a total of 967 recommendations received from IPID, 911 were initiated). 24 recommendations were not implemented, due to service terminations. 32 recommendations were still pending within the 30 days.	99,57% (from a total of 734 recommendations received from IPID, 695 were initiated). 23 recommendations were not initiated, due to service terminations. 13 recommendations were still pending within the 30 calendar days.	99,76% (from a total of 827 recommendations received from IPID, 825 were initiated. 26 recommendations were not initiated, due to service terminations. 21 recommendations were still pending within the 30 calendar days.	100% initiated within 30 calendar days of receipt	100% (from a total of 815 recommendations received from IPID, 815 were initiated. 25 recommendations were not initiated, due to service terminations. 30 recommendations were still pending within the 30 calendar days.	-	Target achieved.
	Percentage of IPID-related disciplinary hearings finalised within the prescribed time frame	85,56% (243 from a total of 284).	85,08% (154 from a total of 181). A total number of 11 cases were still pending within 60 calendar days.	90,45% (161 from a total of 178). A total number of 22 cases were still pending within 60 calendar days	90% finalised within 60 calendar days	90,36% (178 from a total of 197). A total number of 37 cases were still pending within 60 calendar days.	0,36% points	Target achieved. Early warning systems. The implementation of weekly monitoring tools. Performance letters were sent to the Provinces/ Divisions, on monthly basis. The conducting of Provincial visits.

ANNEXURE IP17 504

Objective statement	Performance indicator	Actual achievement 2016/2017	Actual achievement 2017/2018	Actual achievement 2018/2019	Planned target 2019/2020	Actual achievement 2019/2020	Deviation from planned target to actual achievement 2019/2020	Comment on deviation
Improvement of infrastructure development and public access to policing services	Planned police facility projects completed, as per the SAPS Infrastructure Development Programme in the following prioritised areas:							
	Capital works	44,24% (96 from a total of 217) of planned capital works completed.	81,95% (109 from a total of 133) of planned capital works completed.	33,33% (4 from a total of 12) of planned capital works completed.	80,00% (144)	89,58% (129 from a total of 144) of planned capital work completed.	9,58% points	Target achieved. Additional intervention on capital works by senior management.
	Planned maintenance	79,46% (356 from a total of 448) of planned maintenance completed.	76,67% (92 from a total of 120) of planned maintenance completed.	44,71% (38 from a total of 85) of planned maintenance completed.	80,00% (17)	11,76% (2 from a total of 17) of planned maintenance completed.	-68,24% points	Target not achieved. The appointment of consultants could not be processed, due to outstanding reassessments of the condition of the police stations. The execution of the projects was delayed, as the scope of the work had to be revised, due to worsened conditions requring capital works and not maintenance only.

Objective statement	Performance indicator	Actual achievement 2016/2017	Actual achievement 2017/2018	Actual achievement 2018/2019	Planned target 2019/2020	Actual achievement 2019/2020	Deviation from planned target to actual achievement 2019/2020	Comment on deviation
Improvement of infrastructure development and public access to policing services	Number of new mobile contact points procured	New performance indicator, in 2017/2018.	15 new mobile contact points distributed.	Nine new mobile contact points distributed.	15 new mobile contact points procured	0	-15	Target not achieved. 15 chassis cab trucks were procured. The bid for the conversion of the chassis cab trucks into mobile contact points was advertised, on 13 March 2019. The bid was cancelled, on 24 February 2020. As a result the chassis cab trucks were not converted, in 2019/2020. A new requirement for the establishment of a conversion contract was submitted to Procurement Management, on 3 March 2020.

ANNEXURE IP17 506

Objective statement	Performance indicator	Actual achievement 2016/2017	Actual achievement 2017/2018	Actual achievement 2018/2019	Planned target 2019/2020	Actual achievement 2019/2020	Deviation from planned target to actual achievement 2019/2020	Comment on deviation
Improvement of requisite resources to sustain quality service delivery on strategic priorities	Percentage of Bullet-Resistant Vests distributed, in relation to the demand	100% (24 136) BRVs were distributed from the buffer stock, in relation to the demand.	A total of 15 132 or 100% BRVs were procured, as planned. 100% or 15 808 BRV's were distributed, in relation to the demand.	100% (16 601) BRVs were procured, as planned. 90,10% or 14 011 BRV's were distributed, in relation to the demand.	100% BRVs[10] distributed, in relation to the demand	95,44% (10 057 BRV's were distributed, in relation to the demand of 10 538).	-4,56% points	Target not achieved. A contract to procure BRV's is not yet in place. The SAPS is in a process of selecting new generation BRVs for purchase. BRV's that were distributed, were distributed from the buffer stock[11].
	Number of SAPS-owned firearms reported as stolen/ lost	760	800	607	Reduce by 5,00% to 605	672	-67	Target not achieved. Escalation of crime against members, including, but not limited to housebreaking and robbery, as well as negligence by members.

Objective statement	Performance indicator	Actual achievement 2016/2017	Actual achievement 2017/2018	Actual achievement 2018/2019	Planned target 2019/2020	Actual achievement 2019/2020	Deviation from planned target to actual achievement 2019/2020	Comment on deviation
Enhancing Information Systems/ Information and Communication Technology, to support the business objectives of the SAPS[12]	Number of identified digital radio communication infrastructure sites modernised and implemented	New performance indicator, in 2019/2020.	New performance indicator, in 2019/2020.	New performance indicator, in 2019/2020.	112 high sites	26 high sites	-86	Target not achieved. Delays in the administrative process of the procurement application and infrastructure Bid for needs above R500 000.
	Number of identified National Network Communication Infrastructure sites modernised and implemented	New performance indicator, in 2019/2020.	New performance indicator, in 2019/2020.	New performance indicator, in 2019/2020.	240 WAN sites 180 LAN sites	0 WAN Sites 5 LAN Sites	-240 WAN Sites -175 LAN Sites	Target not achieved. The Wide Area Network (WAN) and LAN upgrade was on hold, due to the reprioritisation of funds to the Video Conferencing Project. The CJS budget for the Xyplex replacement project was only approved, in November 2019.

ANNEXURE IP17 508

Objective statement	Performance indicator	Actual achievement 2016/2017	Actual achievement 2017/2018	Actual achievement 2018/2019	Planned target 2019/2020	Actual achievement 2019/2020	Deviation from planned target to actual achievement 2019/2020	Comment on deviation
Enhancing Information Systems/ Information and Communication Technology to support the business objectives of the SAPS	Number of prioritised sites implemented with Closed-Circuit Television (CCTV)	New performance indicator, in 2019/2020.	New performance indicator, in 2019/2020.	New performance indicator, in 2019/2020.	129 sites	0 sites	-129 sites	Target not achieved. No budget was allocated to this project. As a result, demand and procurement processes could not be finalised.
	Number of Remotely Piloted Aircraft System (RPAS) issued to prioritised areas	New performance indicator, in 2019/2020.	New performance indicator, in 2019/2020.	New performance indicator, in 2019/2020.	10 RPAS	0 RPAS	-10 RPAS	Target not achieved. No budget was allocated to this project. As a result, demand and procurement processes could not be finalised.
	Number of prioritised sites implemented with case management capabilities	New performance indicator, in 2019/2020.	New performance indicator, in 2019/2020.	New performance indicator, in 2019/2020.	18 Integrated Case Docket Management System (ICDMS) sites	10	-8	Target not achieved. Delays in the implementation of the ICDMS were related to the network infrastructure upgrade at Very Small Aperture Terminal Sites.

Objective statement	Performance indicator	Actual achievement 2016/2017	Actual achievement 2017/2018	Actual achievement 2018/2019	Planned target 2019/2020	Actual achievement 2019/2020	Deviation from planned target to actual achievement 2019/2020	Comment on deviation
Enhancing Information Systems/ Information and Communication Technology to support the business objectives of the SAPS	Number of prioritised sites implemented with modernised incident management capabilities	New performance indicator, in 2019/2020.	New performance indicator, in 2019/2020.	New performance indicator, in 2019/2020.	6 - 10111 Centres Install 16 200 Vehicle Monitoring Units	0 - 10111 Centres 0 Vehicle Monitoring Units	-6 -16 200	Target not achieved. The non-establishment of the contract by the SITA.
	Number of prioritised sites implemented with person management capabilities	New performance indicator, in 2019/2020.	New performance indicator, in 2019/2020.	New performance indicator, in 2019/2020.	266 Person Identification and Verification Application (PIVA) sites	338	72	Target achieved. Additional biometric devices were availed for the Person PIVA/Person Verification System implementation.

Objective statement	Performance indicator	Actual achievement 2016/2017	Actual achievement 2017/2018	Actual achievement 2018/2019	Planned target 2019/2020	Actual achievement 2019/2020	Deviation from planned target to actual achievement 2019/2020	Comment on deviation
Inculcate a culture of uncompromising compliance and performance management	Percentage of audits completed, in terms of the approved Internal Audit Plan	100% (311 from a total of 311). A total number of one audit was deferred and one audit was cancelled and was discounted from the target.	100% (236 from a total of 236). A total number of 14 audits were deferred and was discounted from the target.	100% (227 from a total of 227). A total number of nine audits were deferred and was discounted from the target.	100% (166)	84,34% (140 from the total 166).	-26	Target not achieved. The Internal Audit Component was requested by management to address an irregular expenditure qualification, issued by the AGSA. As a result, resources were redirected and 22 audits planned for in the 2019/2020 Internal Audit Plan, were replaced with 13 irregular expenditure audits. Furthermore, approval was granted by the SAPS Audit Committee to defer four audits, in terms of the approved Internal Audit Plan. The number of planned audits, in 2019/2020 was, therefore, 153.

Objective statement	Performance indicator	Actual achievement 2016/2017	Actual achievement 2017/2018	Actual achievement 2018/2019	Planned target 2019/2020	Actual achievement 2019/2020	Deviation from planned target to actual achievement 2019/2020	Comment on deviation
Inculcate a culture of uncompromising compliance and performance management								A total number of 13 audits were not finalised, due to operational deployments during the COVID-19 pandemic and avoiding congregate settings to prevent the spread of the virus.
	Percentage of planned forensic investigations finalised[13]	New performance indicator, in 2019/2020.	New performance indicator, in 2019/2020.	New performance indicator, in 2019/2020.	100% (8 from a total of 8 planned investigations finalised)	75,00% (6 from a total of 8).	-25,00%	Target not achieved. Two forensic audits were not finalised, due to restrictions during the COVID-19 pandemic.
	Percentage of Intervention execution standards executed	100% (270 diagnostic assessments completed).	100% (270 management interventions executed).	100% (270 management intervention executions evaluated).	100%[14]	100% (270 intervention execution standards executed).	-	Target achieved.

SERVICE DELIVERY ACHIEVEMENTS

ESTABLISH AN ADEQUATE HUMAN RESOURCE CAPABILITY

The Department had a funded establishment of 192 431 personnel, in 2018/2019. This number decreased, by 1 000, in 2019/2020, to 191 431, due to natural attrition and will remain constant over the period ahead, to remain within Government's expenditure ceiling for compensation of employees. The SAPS establishment was 187 358, at the end of March 2020 and did not achieve its target to maintain a minimum workforce of 98%. This was due to 786 employees, who went on early retirement without penalties, as part of the offer from Government, to reduce the public service wage bill. To minimise the impact of the expenditure ceiling on core service delivery, critical vacant funded posts, such as visible policing, forensic analysts, detectives and senior management, are still expected to be filled. The Department will also continue to prioritise its rejuvenation programme, which entails the recruitment of younger police officials at entry level, by appointing at least 3 000 trainees, annually, over the MTEF period. A total number of 3 000 active, current serving reservists will be recruited, as permanent members, by 1 October 2020, subject to the audit of applications. A total of 500 former non-commissioned officers (constables, sergeants and warrant officers) will also be re-enlisted, by 1 October 2020 and additional PSA employees will be appointed. Posts will be re-advertised, based on the lifting of lockdown restrictions pertaining to the COVID-19 pandemic. An additional 300 posts will also be allocated for general workers, at police station level.

The SAPS allocation for entry level appointments, in 2019/2020 was 7 300. A total of 7 000 posts were allocated for SAPS Act police trainees and 300 posts were allocated for PSA employees. The appointment processes were put on hold, due to the COVID 19 pandemic.

The SAPS is required to meet the minimum 2% target for people with disabilities, in relation to the total workforce. There was a significant increase of 6,77% in the number of registered SAPS members with a disability, from 2 880, in 2018/2020 to 3 075, in 2019/2020. The disability representivity, on 31 March 2020, was 1,64%. The SAPS is committed to implement the JobAccess Strategic Framework, aimed to promote the recruitment and retention of persons with disabilities. Furthermore, the SAPS has implemented the following measures towards achieving the 2% minimum target:

- 5% of vacant posts are ring-fenced for persons with disabilities at support environments.
- The establishment of partnerships with organisations, to support the SAPS in the implementation of disability management programmes required by legislation.
- The establishment of a Disability Task Team Forum, both nationally and provincially, as a platform where the employment needs of employees with disabilities are discussed, in order to eliminate employment barriers preventing the inclusion and participation of persons with disabilities.

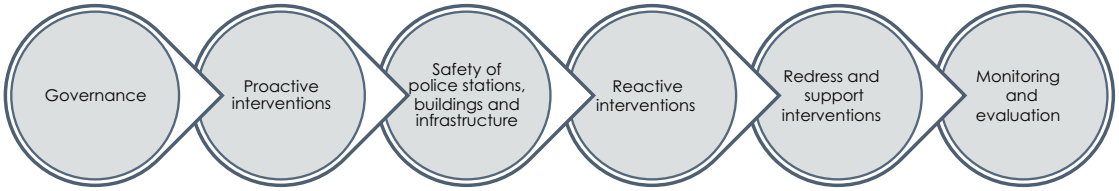
A total of 17 340 employees received grade progression, including 17 230 SAPS Act members and 110 PSA employees, to progress employees from a lower to a higher salary level, within a defined career path. Grade progression is based on the availability of funds, recognition of performance and years of service.

Resignations contributed significantly towards the number of exits recorded, in 2019/2020, followed by retirements. Resignations increased from 2 180, in 2018/2019 to 2 257, in 2019/2020 and retirements decreased from 1 781, in 2018/2019 to 1 256, in 2019/2020. The most prominent reasons

for employees resigning from the Service, was due to more lucrative work prospects, including better compensation opportunities.

A total number of 76 police members were murdered on and off duty, during 2019/2020, including 35 members murdered on duty and 41 members murdered off duty, compared to the same number, in 2018/2019. On duty murders increased, by eight or 29,63% and off duty murders decreased, by eight or 16,33%. An analysis of incidents where members were killed on duty indicated that, most members were murdered when attending to complaints, searching of suspects, responding to complaints, apprehending suspects and during police actions (stop-and-searches, etc.). The Police Safety Strategy was approved, on 23 May 2019. A monitoring tool was developed, approved and implemented to monitor and evaluate the implementation of the Police Safety Strategy, on a quarterly basis. A Police Safety Management and Operational Guideline for Police Station/Unit Commanders was developed, approved and implemented, to guide management and operational members on important procedures, to enhance the safety of members when performing their duties.

Pillars of the Police Safety Strategy



SAPS members murdered

Province	2014/2015	2015/2016	2016/2017	2017/2018	2018/2019	2019/2020
Eastern Cape	14	12	10	13	11	10
Free State	4	5	3	8	3	2
Gauteng	24	19	19	17	17	16
KwaZulu-Natal	19	21	19	19	18	20
Limpopo	5	4	4	3	1	4
Mpumalanga	2	4	3	6	4	6
North West	1	4	2	2	4	1
Northern Cape	1	1	4	0	3	1
Western Cape	9	3	10	6	9	10
Head Office	7	6	9	11	6	6
Total	**86**	**79**	**83**	**85**	**76**	**76**

TRANSFORM AND PROFESSIONALISE THE SERVICE

The SAPS is one of 12 government departments, identified by the DPSA, to participate in a Graduate Recruitment Scheme Pilot Project. The framework was approved by Cabinet and rolled out across public service institutions for implementation, with effect from 1 April 2019. The SAPS has been implementing the Graduate Recruitment Scheme, as a pilot project, from the 2018/2019 financial year. The purpose of the pilot project is to introduce a programme intended to recruit and train graduates for specific roles and/or with assignment to specific roles, to respond to the demand for scarce skills in technical professions within the public service. The SAPS is currently piloting the Graduates Recruitment Scheme, targeting unemployed graduates to take part in the

Workplace Integrated Learning (internship programme). When opportunities arise for permanent employment within the organisation, recruited interns will be prioritised, but are still subjected to selection and the recruitment process. The Graduate Recruitment Scheme is seen as a turnaround strategy for youth development, in terms of facilitating the provisioning of workplace experience to unemployed youth, in line with their qualifications. The target set for the number of internships undertaken, during 2019/2020, was 1 152. By the end of March 2020, a total number of 1 158 interns were placed within the SAPS.

The Safety and Security Sector Education and Training Authority (SASSETA) also awarded the SAPS with two discretionary grants for the placement of 300 Safety in Society Technical and Vocational Education and Training learners, to complete their Workplace Integrated Learning and 80 graduate Internship[15] placements for unemployed youth. The purpose of the project is to place graduates at police stations, in all provinces for practical workplace experience in the field of criminology, safety and society.

Graduate interns placed in the SAPS, during 2019/2020

Professions	Number of interns
Animal health	3
Arts	8
Building	8
Chemistry	8
Communications	21
Criminology	17
Engineering studies	42
Film and television	7
Finance	91
Forensics	5
Graphic design	4
Health sciences	2
Hospitality	7
Information technology	39
Internal auditing	28
Law	31
Logistics	64
Management	204
Music	13
Policing	26
Politics	4
Population development studies	1
Psychology	24
Research	2
Social science	17
Social work	16
Sports	20
Total	**712**

Student interns[16] placed in SAPS, during 2019/2020

Fields of study	No of interns
Finance	30
Hospitality	19
Management	86
Total	**135**

Artisan interns[17] placed at SAPS Garages, during 2019/2020

Trade	Number of interns
Engineering studies (motor mechanics)	311

In terms of the SAPS TPP, a total of 92 481 learners attended training and 91 765 or 99,23% were declared competent upon completion of such training. To ensure that the SAPS contributes towards a South Africa where all people are and feel safe, specific attention was given to improving training in the areas of forensic services, crime investigation, crime prevention, crime intelligence, crimes against women and children, public order and cybercrime.

Priority	Number of learners trained	Number of learners declared competent	Competency rate
Forensic service-related learning areas	2 465	2 411	97,81%
Crime Investigation learning areas	9 509	9 414	99,00%
Crime prevention	30 020	30 012	99,97%
Crime intelligence	1 202	1 196	99,50%
Crime against women and children-related learning areas	8 222	8 244	99,73%
Public order policing-related learning areas	10 546	10 532	99,87%
Cybercrime	903	901	99,78%

A total number of 2 559 learners were trained in the Modules: Legal Principles and Use of Firearm (Handgun) and 2 354 or 91,99% were declared competent, in terms of the prescribed minimum standard. A total number of 5 018 trainees were enrolled in the Basic Police Development Learning Programme and 4 917 were declared competent (58 learners were suspended, due to medical reasons, 11 contracts were terminated, two members withdrew and 30 learners resigned, due to various reasons).

Approval was granted for 21 sporting codes to be funded and hosted, in 2019/2020. These sporting codes were divided into three quarters, namely; first quarter (marathons, athletics, badminton, rugby and tug-of-war); second quarter (body building, road cycling, tennis, combat rifle, soccer (female), squash, mountain bike, soccer (male), volleyball and pistol shooting); and third quarter (cricket, martial arts, netball, golf, practical pistol shooting and chess). This included executive committee meetings, in all 21 sporting codes, as well as national team participations (five sporting codes did not participate in the national team participation, due to the COVID-19 pandemic). Three SAPS Tug-of-War National Team Members were selected, as part of a training group towards the selection of the Tug-of-War Protea Team. A delegation of 109 members participated in the 10th Edition of the SARPCCO Games, in Luanda, Angola, from 2 to 14 August 2019. South Africa obtained the fifth position from eight countries that participated. Two gold medals, two silver medals and two bonze medals were accomplished. On 30 September 2019, SAPS members participated in a cycling tour, as a build-up towards hosting a National Fitness Convention. A total number of 20 SAPS cyclists rode, from Boekenhoutkloof, in Pretoria, to Bethanie Police Station, in the North West, to open an outdoor gym, where after the cyclists proceeded to the SAPS Mankwe Academy, to open the Academy's gym. The National Fitness Convention was hosted, from 26 to 28 November 2019, at the SAPS Tshwane Academy and was attended by various internal and external stakeholders. After the convention, 16 cyclists participated in a cycling tour, from Benoni, to Welbekend Police Station, to open an outdoor gym. A total number of 60 434 Police Act members were exposed to summative Physical Fitness Assessments, in 2019/2020. A total number of 23 798 applicants were assessed in all nine provinces by trained Physical Fitness Coordinators and Assessors and 14 776 or 62,09% were declared competent, as part of the recruitment of new entry level constables.

The SAPS also focused on the following, in 2019/2020:

Professionalisation of the SAPS through effective and efficient human resource development	
The accreditation status of 48 SAPS Skills Development Providers were maintained, in order to provide and assess National Qualification Framework aligned training to SAPS personnel. One new accreditation application for the Human Resource Development Centre, in Pinelands, as well as the re-allocation for the Centre, in Paarl was submitted for accreditation by SASSETA. The registration status of 846 assessors and 519 moderators were maintained and 85 new applications for assessors and 51 moderators were forwarded for registration, ensuring that learner achievements are being endorsed against formal registered unit standards or qualifications.	A total of 26 accredited providers, including HRD Centres, Basic Police Development Academies, In-Service Police Development Academies and a Human Resource Development Recognition of Prior Learning (RPL) Centre were visited and prepared for verification purposes. A total of 9 605 verifications of learners' achievements were submitted to SASSETA, for the issuing of certificates, in terms of the National Certificate: Policing and 280 were verified through the process of RPL. A total number of 1 539 certificates for the Unit Standard Use of Firearms in the Law Enforcement Environment and 393 certificates for the National Certificate: Policing were received from SASSETA and distributed.
Organisational Standards and Qualifications	
A total of 32 organisational standards were developed, which will be used in the development of learning programmes and against which members must prove their competence. The process of utilising organisational standards ensures the standardisation of Education, Training and Development (ETD) practices within the SAPS.	The Occupational Certificate: Detective: National Qualifications Framework (NQF) Level 6 qualification was developed and submitted for registration to the South African Qualifications Authority.
Education Training and Development Regulators	
In order to regulate ETD practices within the SAPS, SOPs were developed/reviewed for the compilation and monitoring of the TPP, the SAPS-Internal Registration Body and Development of ETD Solutions. National Instructions were developed/reviewed for the Management of Training Testing and Issuing of Driving Licences in the SAPS, SAPS Bands, Official Funerals in the SAPS, SAPS Bursaries and Official Ceremonies in the SAPS.	The approval and implementation of official directives, including the Policy on Education Training and Development for the SAPS, the National Instruction on Library Services in the South African Police Service, as well as the SOPs on the Provisioning of ETD Interventions, the Procedure on Determination of Trainer-To-Learner Ratios for ETD and for Occupational Learning Programmes in the SAPS. The Strategy on Workplace Exposure for Basic Police Development Learners in SAPS, as well as the Terms of Reference on Tertiary Institutions Forum were developed.

Assessment Strategies and Assessments
Learning programmes and assessments are designed, in line with unit standards, qualifications or organisational standards. Assessment strategies were developed, in line with the SAPS regulators and the policies and procedures of the SASSETA, to ensure that the assessment principles of validity, fairness and transparency are adhered to. A total of 210 478 assessments were developed, reproduced and distributed to training providers. A total of 7 410 assessments based on organisational standards were developed, reproduced and distributed for different learning programmes to the different skills development providers.
ETD Research and Quality Management
A consultative and collaborative partnership between the SAPS and tertiary institutions was established, in order to professionalise the SAPS. Tertiary Institutions Forum offer a wealth of knowledge, skills and opportunities to enhance the expertise of members, which in turn promotes the professionalisation of policing in South Africa. A total of two tertiary institution meetings were held, at the SAPS Tshwane Academy, on 22 August 2019 and 20 February 2020, respectively. Various tertiary institutions and identified internal stakeholders, who were in attendance, gave their inputs on different aspects, in relation to the professionalisation of the police. Amongst the items discussed during the first meeting, were the SAPS Strategic Plan 2020-2025 and its influence on the ETD landscape and qualifications provided, the role of tertiary institutions in the professionalisation of the Police, the impact of the 4IR, different streams of recruitment and training, the creation of a database for qualifications and the impact of current qualifications on service delivery. Items discussed/ addressed during the second meeting were the Terms of Reference, professional streams of reservist training, training convention, safety in campus strategy, the Occupational Certificate: Non-Commissioned Officials registered by the South African Qualifications Authority and the Occupational Certificate: Detectives that is in the process of registration. Different papers were presented, in relation to the matters mentioned above. A seminar on GBV was held, on 19 February 2020, at the SAPS Tshwane Academy. The purpose of the seminar was to bring the SAPS, GBV activists, tertiary institutions and community activists together, to discuss the scourge of this pandemic that has engulfed our communities. The seminar set a viable platform to discuss the impact of GBV that affects both policing and communities at large, by sharing research findings, strategies and support mechanisms. Various presentations on GBV were made by delegates from the SAPS Western Cape Investigative Psychology Unit, the University of South Africa, the Nelson Mandela Metropolitan University, the Tshwane University of Technology, the University of KwaZulu-Natal and the University of Limpopo, as well as an activist on GBV, Mr Patrick Shai of "Khuluma Ndoda". All papers were presented by speakers who are in the field of policing, law and GBV-based violence that is affecting both policing and our communities, at large. Solutions, best practices and current trends dealing with GBV were analysed. Key recommendations for implementation, by both the SAPS and external stakeholders were outlined from panel discussions. The report was disseminated to the National Commissioner, Deputy National Commissioners, Provincial Commissioners, as well as tertiary institutions.
ETD Curriculum Development: Policing
During 2019/2020, the Domestic Violence Learning Programme and the Disaster Management Learning Programme were completed and handed over to the In-Service Police Development Component for roll-out.

Technology Management and Support within the ETD Environment	
The SAPS developed, tested and finalised the Geographical Intelligence System Programme, Orientation to SAPS Employees (SAPS Induction Programme) and the Discipline Management Processes Learning Programme. The SAPS also conducted six Train-the-Trainers to capacitate the training environment in the roll-out of programmes for further training, to name a few: Geographical Intelligence System, Supply Chain Management Asset Processes, Global Emergency Management Command and Control Centre and Discipline Management Processes.	An additional six learning programmes were also tested for future implementation, including the Operational Planning and Monitoring System, Record Management, Service Terminations and Disability Awareness. The SAPS continued to develop essential prioritised programmes for the Organisation, focusing primarily on the review of the Basic Police Development Learning Programme, in 2019/2020, which is being aligned to a Quality Council for Trade and Occupations NQF6 Qualification.

The SAPS has, through the years, forged very solid and mutually beneficial partnerships with other countries and organisations, both within and outside the African continent, as a member of INTERPOL and SARPCCO. The respective partnerships and collaborations has seen a steady increase in capacity building initiatives, in terms of the prevention, combating and investigation of transnational organised crime.

Summary of interventions, in 2019/2020

Country/Organisation	Number of interventions	Members trained/capacitated
USA	11	84
France	1	25
United Kingdom	1	2
China	1	7
SARPCCO	24	134
Total	**38**	**252**

Americas and Europe				
Name of the intervention	**Purpose**	**Dates**	**Number of delegates**	**Academy, host city and country**
USA Leadership for Woman in Law Enforcement Course	Aimed at mid-level law enforcement, non-supervisory investigators. Designed to look at law enforcement leadership from a female perspective and explored the concepts of understanding and applying gender intelligence. The course focused on issues like male and female communication styles, creating a positive and motivating working climate, gender stereotypes, leadership personalities, strengths and weaknesses and career planning goals.	15 to 19 April 2019	Four participants from the Financial and Administration Services, Visible Policing and Detective Service Divisions	International Law Enforcement Academy (ILEA), in Gaborone, Botswana
France Cybercrime Train-The-Trainer Course	Aimed to introduce students to the history and interworking of the internet, as well as investigative tools and techniques, to assist in their investigations, as the internet has introduced many new crime problems, as many traditional crimes have migrated to the internet.	27 to 31 May 2019 and 13 to 23 August 2019	25 participants from all provinces	Paarl Academy, in the Western Cape and the Rietondale Academy, in Pretoria
USA Financial Investigation Course	Designed for a duration of one week with the objective of providing financial investigative techniques for individuals involved in investigating and prosecuting financial crimes. The target group was middle to upper-level supervisors or commanders, who are responsible for financial investigations.	3 to 6 June 2019	Three participants from the Detective Service and Crime Intelligence Divisions, as well as the DPCI	ILEA, in Gaborone, Botswana
USA Crime Scene Investigations Course	Designed for investigators, who specialises in various crime scene investigations. Intended for mid-level officers, who are not supervisors, in position to benefit directly from the training and implement it upon return. Focus to address crime scene management, in relation to the collection and presentation of evidence and will enable participants to explain the steps in crime scene preparation.	22 to 26 July 2019	Three participants from the Detective Service and Forensic Services Divisions	ILEA, in Gaborone, Botswana

Americas and Europe				
Name of the intervention	Purpose	Dates	Number of delegates	Academy, host city and country
USA Cybercrime Investigations Course	Intended for mid-level investigating officers, who would be able to implement the training received upon return. Presented by FBI subject matter experts aimed at introducing the history of the internet, investigative tools and techniques.	29 July to 8 August 2019	Two participants from the Crime Intelligence Division and the DPCI	ILEA, in Gaborone, Botswana
USA International Joint Bioterrorism Investigation Courses	To provide mid-level officials, who would be responsible for deterring, detecting, identifying and responding to a bioterrorism incident within their country, with a broad overview of bioterrorism and its relationship to weapons of mass destruction.	19 to 23 July 2019 and 3 to 7 February 2020	32 participants from the Crime Intelligence Division and the DPCI	Private venues, in Cape Town and Durban
USA Counter Proliferation Investigations Methods Workshop	Aimed at building enforcement and investigative capacity to pursue violations of law-related to the illegal cross-border movement of strategic good and provide an overall understanding of the complexities involved in combating the global proliferation challenge, including commodity identification and awareness, targeting and interdiction of the illicit global supply chain, investigative follow up and prosecution.	19 to 23 August 2019	14 participants from the Visible Policing, Detective Service and Operational Response Services Divisions, as well as the DPCI	Private venue, in Pretoria
USA Regional Advanced Narcotics Course	Provided traditional and specialised investigative techniques for complex investigations. Emphasis placed on supervision and management of the full range of drug-related investigations against transnational drug organisations and involved host country training officials and prosecutors in the training curriculum.	8 to 13 September 2019	Four participants from the Crime Intelligence Division and the DPCI	ILEA, in Gaborone, Botswana
USA Programme for Terrorism and Security Studies	Aimed at mid-level to senior level law enforcement officers to address numerous aspects of a threat that confronts nations around the globe. Focused on how a state can effectively combat terrorism, but still adhere to the fundamental values of a democratic society. Assisted participants to appreciate the nature and magnitude of today's threat, develop a common understanding of the definition and establish contacts within the international counterterrorism community.	3 August 2019 to 5 September 2019	One delegate from the Crime Intelligence Division	Garmisch, Germany

Americas and Europe				
Name of the intervention	**Purpose**	**Dates**	**Number of delegates**	**Academy, host city and country**
USA Cryptocurrency Investigations Courses	Designed to suit members, who are in the law enforcement environment, at supervisory investigation level. Members were skilled to display the understanding of cyber technology, software and procedure, in the criminal use of cryptocurrency. Aimed at providing participants with background on the technology software and learning the mechanics and operational elements of how cryptocurrencies work.	6 to 19 October 2019 and 30 November to 14 December 2019	Ten participants from the Crime Intelligence and Detective Service Divisions, as well as the DPCI	ILEA, in Gaborone, Botswana
Study visit undertaken to the FBI Academy	Best practices for the establishment of a SAPS Detection Academy.	16 to 23 November 2019	Delegation of four, including the National Head: DPCI, the Deputy National Commissioner: Crime Detection, the Divisional Commissioner: Detective Service and Advisory Service	Quantico, USA
UK Recurrent Sovereign Training	Compulsory refresher training to ensure safety and a proficient maintenance standard. Keep pilots conversant with the normal and emergency procedures, with regard to the operation of the aircraft, to build capacity and strengthen the pilot base.	25 January 2020 to 1 February 2020	Two pilots from the Operational Response Service Division	Farnborough, United Kingdom
USA Executive Leadership and Major Case Management Course	One-week course for senior investigators and/or law enforcement managers, aimed to provide a complete perspective on how to exercise leadership principles in the practical setting of managing a major criminal investigation/case. The course examined actual major cases for lessons learnt and examine how time pressure can influence major case decisions.	23 to 29 February 2020	Seven participants from the Detective Service and Human Resource Development Divisions, as well as the DPCI	ILEA, in Gaborone, Botswana

Africa, Asia and Middle East				
Name of the intervention	**Purpose**	**Dates**	**Number of delegates**	**Host city and country**
2nd SARPCCO Executive Leadership and Knowledge Management Workshop	To capacitate the knowledge and skills for female senior managers, to enhance knowledge management and share best practices for female senior managers.	15 to 17 May 2019	Three senior managers from the National Commissioner's Office and the North West Provincial Commissioner's Office, as well as the DPCI	Mbabane, Kingdom of Eswatini

Africa, Asia and Middle East				
Name of the intervention	Purpose	Dates	Number of delegates	Host city and country
Forensic Deoxyribonucleic Acid (DNA) Training Course	To enhance participant's expertise in advance forensic DNA analysis, the ability to interpret DNA mixture, statistical analysis, including low template DNA mixture and examples interpretation.	28 to 30 May 2019	One SAPS member from the Forensic Services Division	Taipei, Taiwan
SARPCCO I-24/7 Expansion Workshop	Enhance the working capacity of countries that have already extended beyond the National Central Bureau (NCB), as well as to encourage and edge countries that are in the process of extending I-24/7 services beyond the NCB.	6 to 7 June 2019	Seven regional delegates and 12 SAPS members from the Crime Intelligence and the Technology Management Services Divisions and one delegate from the Department of Justice	SAPS Atteridgeville Academy, Pretoria, South Africa
SARPCCO Task Team Meeting	Development of a Terms of Reference on Training Needs Analysis and the review of the SARPCCO Training Policy.	24 to 28 June 2019	Three SAPS members from the Human Resource Development Division and 14 from SADC Member States	SAPS Atteridgeville Academy, Pretoria, South Africa
SARPCCO Crime Intelligence Officer's Workshop	To discuss and exchange experiences and best practices in the collection of information and share crime intelligence, especially on cross-border crimes with a view to enhance intelligence-led joint regional operations.	1 to 3 July 2019	Three SAPS members from the Detective Service and Crime Intelligence Divisions	Harare, Zimbabwe
SARPCCO Drug Trafficking and Identification of Chemical Course	Enhancement of the investigative skills and competencies of drug investigation, enhancement of the detection of drug-related crimes, broadening the understanding of the nature and sources of precursor chemicals and clandestine laboratories and enhancement of the regional and international sharing of information on the threat posed by illicit drugs and precursor activities.	1 to 12 July 2019	10 members of the SAPS and 14 participants from SARPCCO Member States	Pretoria, South Africa

Africa, Asia and Middle East				
Name of the intervention	Purpose	Dates	Number of delegates	Host city and country
45th International Senior Police Officers Course	Enhancing leadership capabilities amongst senior police officers, particularly in the area of command and control within police organisation, as well as creating a platform for sharing skills, knowledge and expertise to combat the ever changing threats in future policing.	8 to 27 July 2019	One senior manager from the Human Resource Development Division	Kuala Lumpur, Malaysia
INTERPOL Policing Capabilities programme	Skills and knowledge to utilise INTERPOL policing capabilities effectively, while promoting police cooperation, in order to prevent, detect and investigate transnational crime.	15 to 19 July 2019	One member from the Crime Intelligence Division	Rwanda
SARPCCO: Women Regional Training Conference	Develop knowledge, skills, attributes and competencies of Law Enforcement Women Personnel. Designed to comprehensively respond to contemporary policing needs and it is envisaged to enhance women empowerment and gender based violence and crimes against women and children.	22 to 25 July 2019	Five senior managers of the SAPS	Maputo, Mozambique
INTERPOL NCB Management Training	Equip NCB supervisors with requisite managerial knowledge, skills and attitudes to influence and enhance the performance of NCBs, in line with INTERPOL policing capabilities.	26 to 30 August 2019	Two SAPS members from the Crime Intelligence Division	Harare, Zimbabwe.
SARPCCO Counter Terrorism Course	Enhancing the capabilities of police officers to investigate cases of terrorism and related cases.	26 August 2019 to 14 September 2019	13 members from the region and eight SAPS members from the Crime Intelligence and Detective Service Divisions, as well as the DPCI	Pretoria, South Africa

Africa, Asia and Middle East				
Name of the intervention	Purpose	Dates	Number of delegates	Host city and country
7th INTERPOL Global Conference on Human Trafficking and Migrant Smuggling and INTERPOL Specialised Operational Network Workshop	Intends to bring together law enforcement agencies, international organisations, non-governmental organisations and the private sector, to enhance international cooperation, exchange information and experiences and consolidate strong networks to combat organised criminal groups.	10 to 13 September 2019	One member from the Legal and Policy Services Division	Buenos Aires, Argentina
SARPCCO Regional Trafficking in Human Persons Investigators Course	Aim of strengthening the capacities of law enforcement officers, in the areas on detection, investigation, prosecutions and mitigating the impact of trafficking in persons.	30 September 2019 to 11 October 2019	Nine members from the SAPS and 21 learners from the SADC Region	Pretoria, South Africa
Seminar on Combating Cybercrime for SAPS	To capacitate participants with more comprehensive understanding of China's ways and means to combat cybercrime, which will provide a reference for the law enforcement of cybersecurity in South Africa and lay a good foundation for further exchanges and cooperation, between China and South Africa.	8 to 28 October 2019	23 members from the DPCI and the Crime Intelligence, Detective Service, Human Resource Development and Technology Management Services Divisions	China
SARPCCO: Motor Vehicle Investigators Course	Enhance the investigative skills of Vehicle Crime Investigators at regional and international level. Participants had opportunities to discuss emerging motor vehicle crime trends, cases related to vehicle crime, effective organised vehicle crime fighting techniques, including the handling of exhibits and suspects, at international level and enhance the smooth sharing of intelligence and boost the capacity of operatives during vehicle crime investigations, in general and during regional or bilateral operations, in particular.	21 October 2019 to 1 November 2019	Two leaners and two trainers from the SAPS	Tanzania

Africa, Asia and Middle East				
Name of the intervention	Purpose	Dates	Number of delegates	Host city and country
Formatrain Operational Training	To enhance the cooperation and creation of synergies with stakeholders in the fight against transnational vehicle crime, within the SADC Region. The course was meant for front police officers in the specialised vehicle crime environment, as well as border police officers to ensure that the correct target group is trained, *viz* in the vehicle crime.	24 to 28 October 2019	14 SAPS members from the Detectives Service, Visible Policing and Crime Intelligence Divisions, as well as 11 members from SADC Member States	Modimolle, Limpopo, South Africa
National Eastern Africa Police Chiefs Cooperation Organisation/ SARPCCO Counter Terrorism Intelligence Course	To capacitate regional police officers on the investigation of terrorism-related cases and to enhance the state of preparedness for member countries to professionally manage real and potential threats of terrorism.	10 to 25 October 2019	One member from the Crime Intelligence Division	Victoria, Seychelles
Taiwan Western Asia Forum on Regional Security and Transnational Crime	The aim of the forum is to bring together scholars and law enforcement officials from all over the world, to share their experiences and opinions on the impact of transnational crime on regional security.	11 to 15 November 2019	One senior member from the Human Resource Development Division	Taipei, Taiwan
SARPCCO Small Arms and Light Weapons Course	Capacity building, in order to obtain knowledge and skills of police officers to empower them in handling firearm-related cases during cross-border operations. Familiarise police officers with skills to identify firearms and ammunition in their national and regional investigations, to efficiently and effectively use the iARMS database and the use of the iARMS Software Application and to harmonise the regional investigative skills and develop networks of the police officers, to encourage cooperation and mutual understanding during national, regional operations and joint investigations.	18 to 29 November 2019	Eight members from the SAPS and 16 members from SADC Member States	Pretoria, South Africa

Africa, Asia and Middle East				
Name of the intervention	**Purpose**	**Dates**	**Number of delegates**	**Host city and country**
Seminar on Criminal Investigation Technology	Aimed to improve the investigative capacity, via competent analysis-based on international standards and best practices.	13 November 2019 to 3 December 2019	22 SAPS members from the Detective Service and Human Resource Development Divisions and the Provincial Commissioners for Gauteng, the Eastern Cape, the Western Cape, the Northern Cape, Limpopo and KwaZulu-Natal	China
SARPCCO Cybercrime Investigators Course	The aim of the course was to equip police officers from member states with knowledge and investigation skills of cybercrime and related offences.	25 November 2019 to 6 December 2019	One SAPS member	Harare, Zimbabwe
SARPCCO 5th intake: Diploma in Strategic Leadership and Management Course	A one-year programme, comprising of three semesters, inclusive of workplace learning with the aim of improving the skills, attributes and attitudes of middle managers, to fulfil the decision to improve leadership and managerial insight, when dealing with transnational crimes.	14 October 2019 to 22 December 2019	One SAPS learner and one trainer from the Human Resource Development Division	Harare, Zimbabwe
INTERPOL Training Workshop on Controlled Deliveries	Enhance the investigative skills capacity for environmental crime investigators on controlled delivery, from a tactical and operational point of view at a Regional and International level.	16 to 18 December 2019	Two members from the DPCI	Nairobi, Kenya
Study visit to the People's Republic of China	Study visit for best practices for the establishment of a SAPS Detection Academy	14 to 21 December 2019	A delegation of seven, including the National Commissioner, the National Head: DPCI, the Deputy National Commissioner for Management Advisory Services, a project manager in the Office of National Commissioner, the Divisional Commissioners: Detective Service and Human Resource Development and the Executive Secretariat and Information Management, in the Office of the National Commissioner	China

A total number of 1 667 disciplinary cases were received, of which 1 153 cases were finalised within 60 calendar days, an achievement of 90,22% against the set target of 90%, within 60 calendar days. A total of 64 were finalised beyond the 60 calendar days' target. There were 215 cases still pending, at the end of March 2020, including 154 cases pending within the 60 calendar days and 61 beyond the 60 calendar days.

Prioritised work study investigations, processes, evaluations and analysis conducted by the Organisational Development Component, are aligned to the Strategic Plan and the APP of the SAPS. The sustained decline in the organisation's staff establishment, over the medium-term, will necessitate, not only smarter, technology-driven policing, but also prioritised capacitation and resourcing of the various functional areas that comprise the broader policing function. The SAPS will, therefore, focus on the continued capacitation of the detective service capability, specifically investigations relating to crimes against women and children and organised crime, as well as the SAPS' ability to ensure internal stability through POP and other specialised policing capabilities and the crime intelligence function, which supports both proactive and reactive policing. In addition, the counter intelligence measures instituted within the SAPS, play a critical strategic role, in terms of security risk and vetting assessments. The critical policing areas prioritised, during 2019/2020, which required intervention with regards to capacitation, in support of crime combating, were POP, FCS Units, organised crime within the detective environment and vetting within the crime intelligence environment.

Public Order Policing	A work study investigation was conducted, in 2015, resulting from ongoing violent protests in the country, leading to public unrest, damage and destruction to public and private property, injury and/or loss of life. The investigation focused on increasing POP capacity, the equal distribution of physical and human resources, ensuring dedicated investigating officers and information gatherers for planned and unplanned protest actions, as well as dedicated legal officials. A total number of 50 provincial POP Units and four reserve units were proposed, as well as a roll-out strategy, to enhance existing POP Units, including the re-establishment of previously existing POP Units and the establishment of new POP Units, for four years over two MTEF cycles, subject to the allocation of additional funds, as no additional funded posts were available. For the interim, funded posts (vacant or filled) were identified to accommodate needs. The roll-out strategy will be based on an average of 62% of the theoretical human resource requirements for the respective POP Units, which totals to a planned establishment of 7 903. In comparison to the establishment of POP Units, as at 31 March 2020, a total of 1 765 additional posts are still required within the POP environment.
Family Violence, Sexual Offences and Child Protection Units	The prevailing increase of GBVF compelled the Department to review and realign FCS capacity to its mandate, through a work study investigation, in order to review posts and resource requirements and to identify the challenges within the environment. A total number of 732 vacant funded posts were identified to be filled, in order to strengthen FCS Units for the effective investigation of cases. A further 496 personnel are required, including 236 Police Service Act personnel and 260 PSA personnel (cleaners and administrative personnel). One of the challenges identified was the need for officer's posts, which are planned to be addressed in a phased in approach, over a period of three years. This includes 165 posts in the first year, 165 in the second year and 166 in the third year. The filling of posts in the Serial and Electronic Crime Investigation environment has increased, due to the Cybercrime Bill that was submitted to Parliament. This section in the FCS has not been prioritised, despite the fact that it investigates serious cases, including child pornography, serial rapes and serial murders. The capacitation of the section will be prioritised, in 2020/2021, with a total number of 157 posts, within the various provinces, to bring about a direct impact on the service delivery of the FCS. A total number of 164 additional posts, including 25 posts for administrative personnel and 139 posts for cleaners, will be prioritised, in 2021/2022 and a further 164 posts, in 2022/2023. Another challenge is the allocation of vehicles, as vehicles in the FCS environment is old and rundown. According to the norm, based on the required posts, an additional 666 are required, mostly by units, in Gauteng, the Western Cape and the Eastern Cape Provinces. It was suggested that an equal distribution of 222 vehicles should be allocated, per year, over the next three years.

Organised Crime Investigation Units	A work study investigation was concluded, in 2019/2020, to determine the number of Organised Crime Units within the Detective Service environment that should be established in the various provinces, to develop a post structure and to determine an interim post establishment for these units. Some provinces have allocated skeleton staff to the Organised Crime Investigation Section, due to the urgency of investigations and the influence it has on crime patterns that are associated with organised crime. These allocations deprived other units or police stations from its detective capacity. There is a lack of knowledge at police station level, to investigate these cases, as members with the required knowledge are currently within the DPCI. Cases which are not investigated by the DPCI created a gap in the successful detection, linkage and prosecution of these offences. Numerous queries were raised, regarding the closure and possible reopening of specialised investigation capabilities within the SAPS. The reintroduction of Organised Crime Investigation Units will enable the Detective Service, to enhance the capability and specialised investigation skills. Specialised focus will enable the re-establishment of specialised investigation desks, within the organised crime framework, to deal with priority issues, such as, *inter alia*, drug-related crime, transnational crime, human trafficking, as well as ferrous and non-ferrous metal investigations, such as gold and copper cable theft. The migration of posts from the DPCI was initially approved, based on the workload at the time, as a result of an investigation on the implementation of the SAPS Amendment Act, 2012 (Act No 10 of 2012). The indication was that the Detective Service would handle a minimum of 65% of the reported cases. The migration of resources (personnel and physical resources) did not realise, despite the fact that the workload migrated. The current rationalisation process, as well as the reduction of the compensation budget, which is already constrained, limits the establishment of additional units, as no additional funded posts are available. The establishment of these units can only realise if posts are being transferred from other operational business units within the respective provinces. Furthermore, vehicles are the most utilised resource within the detective environment. This requirement is adding to the financial implications. As per the work study investigation, a total number of 953 posts are required. It was recommended that the allocation of these posts be implemented in a phased in approach, i.e. 30%, in 2020/2021, 30%, in 2021/2022 and 40%, in 2022/2023.
Vetting	The Crime Detection Strategy is a critical structured approach in the improvement of the SAPS' investigative and crime intelligence capabilities. Therefore, the Crime Intelligence Corporate Renewal Strategy became a cornerstone of the framework and support the proactive and reactive intelligence requirements of the SAPS, through the optimisation of the quality and utilisation of intelligence products by conventional policing and specialised investigative capabilities within the SAPS. In addition, the counter intelligence measures instituted within the SAPS, play a critical strategic role within the Department. In terms of the National Strategic Intelligence Act, 1994 (Act No 39 of 1994), one of the functions of the SAPS, subject to Section 3 of the Act, are to; institute counter-intelligence measures in the SAPS, in order to conduct vetting investigations and to counter any threat or potential threat to national security. The work study investigation has been conducted, to determine the required capacity, in order to perform vetting functions within the SAPS. The study was informed by the Vetting Strategy, as well. The work study investigation has been finalised to capacitate the SAPS with the required capabilities for vetting functionality. After the completion of the work study, the Accounting Officer requested that the structure and capacity requirements be revisited.

The continuous stamping of the authority of the State, as a result of escalated public protests and violent crimes facing the country, demanded the re-establishment and enhancement of specialised units, such as Anti-Gang Units (for the disruption of gangs and gang-related activities, murder and robbery, including taxi violence), the cold case investigative capability and the Modus Operandi Strategic Analysis Centre, in support of identified operational and investigative entities, among others. Work study investigations were approved and are being implemented in a phased in approach, starting with the Anti-Gang Units, due to the continuous plaguing of the South African landscape by gangs and gangsterism, which manifest in shootings, prison riots, intimidation, killings and organised crime.

Investigations relating to hotspot areas and the top 30 high contact crime weight stations were concluded and will be implemented accordingly, through the coordinated deployment of resources supported by the recent approved organisational structures.

The way in which the Department is structured, plays a role and has impacted on how effectively services can be delivered through adequate, appropriate and integrated organisational staff establishment and structures, given the SAPS' Turnaround Vision, strategic priorities and regulatory framework. The restructuring and rationalisation of the SAPS recognises the fiscal constraints that is impacting negatively on the compensation budget, as well as the migration of resources from a strategic level to local level. The said structures are implemented accordingly, in a phased in approach, starting with the Gauteng Province.

IMPROVEMENT OF INFRASTRUCTURE DEVELOPMENT AND PUBLIC ACCESS TO POLICING SERVICES

Progress on police facility projects

	Projects	Total infrastructure development 2019/2020	2019/2020 target	Actual completion	Percentage completed	Deviation from the planned target (80%) versus the actual achievement, 2019/2020
CAPITAL WORKS	Site Clearance	37	10	8	80%	-
	Planning and Design	32	17	-	0%	-80%
	Execution	22	3	2	66,67%	-13,33%
	Repair and Upgrading	39	7	17	242,86%	162,86%
	Accessibility for persons with disabilities	98	28	28	100%	20%
	Generators	86	18	11	61,11%	-18,89%
	Air Conditioners	276	61	63	103,28%	23,28%
Total capital works		**590**	**144**	**129**	**89,58%**	**9,58%**
PLANNED MAINTENANCE	Planning and Design	59	5	-	0%	-80%
	Execution	37	12	2	16,67%	-63,33%
Total planned maintenance		**96**	**17**	**2**	**11,76%**	**-68,24%**
Total infrastructure projects		**686**	**161**	**131**	**81,37%**	**1,37%**

Mobile Community Service Centres were introduced to increase awareness on crime and to help improve police presence, to ensure accessibility, to enhance service delivery in high crime areas, to swiftly report incidents and to ensure that crime is investigated and that criminals are charged. The objective of this project will also enhance and strengthen the relationship between communities and the police. A total of 15 chassis cab trucks were procured, in 2018/2019. The bid for conversion of chassis cab trucks was advertised, on 13 March 2019. The bid was cancelled, on 24 February 2020 and no chassis cab trucks could be converted, in the 2019/2020 financial year. A new requirement was submitted, on 3 March 2020, for the establishment of a conversion contract.

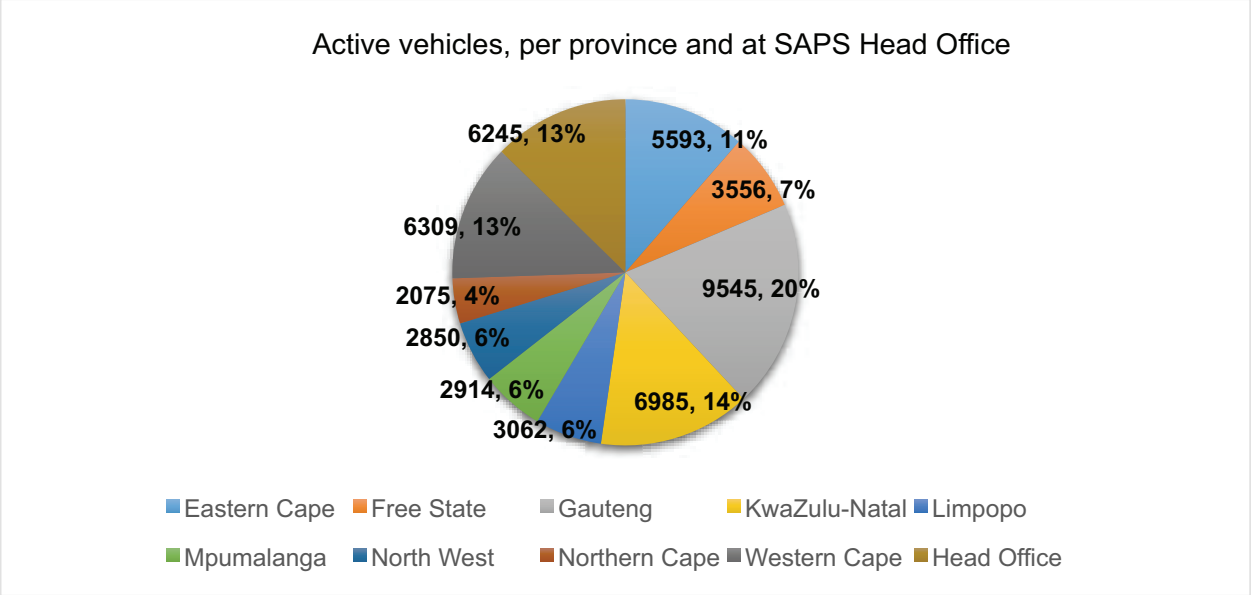
IMPROVEMENT OF REQUISITE RESOURCES TO SUSTAIN QUALITY SERVICE DELIVERY ON STRATEGIC PRIORITIES

The Department is continuously utilising National Treasury's Central Supplier Database for the sourcing of prospective suppliers, whenever a need arise, to procure goods or services on a price quotation basis. Bid committees, from cross-functional units are in place and meet, when required. Bid committee members are aware of their ethical obligations, as they are expected to sign a declaration of confidentiality and also declare any conflict of interest. Bid committee members, as well as Supply Chain Management practitioners are required to sign Codes of Conduct. Furthermore, Bid Adjudication Committee members are required to sign an oath of secrecy and to be vetted, together with senior officials and other personnel from the Supply Chain Management environment. The performance of suppliers and contractors are reviewed by end-users and reporting, to this effect, are submitted to Procurement and Contract Management. The Divisional Commissioner of Supply Chain Management appoints, on a rotational basis, members to oversee the bid opening processes. Responses, sealed in serialised tamper proof evidence bags and kept safe, are opened and registered, until such time that the appointed Bid Evaluation Committee Chairperson takes possession of the documents. This ensures the continuity of possession and restricted access to the documentation. A need was identified, to enhance compliance, monitoring and improving transparency and accountability with the management of contracts, in the Supply Chain Management environment. Subsequently, a Contract Management Strategy was developed and implemented as a National Instruction, during November 2019. The SAPS has reviewed the procurement pocket guide pertaining to the invitation and consideration of price quotations. The purpose of this guide is to spell out the procurement directives of the Department for the sourcing and approval of quotations for goods and services, as well as contract management. Furthermore, this guide will also mitigate irregular expenditure cases. It provides all stakeholders who are involved in the procurement process, with guidelines to ensure that all procurement transactions are carried out in a manner that is fair, equitable, transparent, competitive and cost-effective, thereby promoting good governance. The Annual Procurement Forum, held during December 2019, was used to communicate and explain any new legislation, regulations and other important issues in the procurement environment. During the Forum, practitioners were again sensitised to manage irregular expenditure more effectively. All attendees were provided with a number of the pocket guides for distribution within their respective provinces and divisions.

The SAPS has 53 222 transport assets, including 49 134 vehicles, 34 aircrafts, 136 boats, 144 machinery (e.g. forklifts), 1 009 motorcycles and 2 765 trailers. The SAPS has an approved norm of an average of 4.51 personnel, per vehicle for effective policing in the country. The ratio, at the end of March 2020, was 3.81:1, based on 49 134 motor vehicles and 187 358 personnel.

Distribution of vehicles and personnel

Province	2018/2019			2019/2020		
	Number of active vehicles	Number of personnel	Personnel to vehicle ratio	Number of active vehicles	Number of personnel	Personnel to vehicle ratio
Eastern Cape	5 596	18 652	3.33	5 593	18 197	3.25
Free State	3 423	10 963	3.20	3 556	10 575	2.97
Gauteng	9 550	32 749	3.43	9 545	31 967	3.35
KwaZulu-Natal	7 244	23 844	3.29	6 985	23 322	3.34
Limpopo	3 061	11 349	3.71	3 062	11 048	3.61
Mpumalanga	2 737	9 913	3.62	2 914	9 673	3.32
North West	2 855	9 055	3.17	2 850	8 857	3.11
Northern Cape	2 101	7 344	3.50	2 075	7 142	3.44
Western Cape	6 190	20 535	3.32	6 309	20 146	3.19
Head Office	6 206	47 873	7.71	6 245	46 431	7.43
Total	**48 963**	**192 277**	**3.93**	**49 134**	**187 358**	**3.81**



Transport asset distribution

Province	Vehicles	Aircrafts	Boats	Machinery	Motorcycles	Trailers	Total assets
Eastern Cape	5 593	0	6	4	118	292	6 013
Free State	3 556	0	15	5	106	305	3 987
Gauteng	9 545	0	9	11	126	222	9 913
KwaZulu-Natal	6 985	0	19	5	133	246	7 388
Limpopo	3 062	0	4	7	53	201	3 327
Mpumalanga	2 914	0	10	1	75	165	3 165
North West	2 850	0	7	3	56	218	3 134
Northern Cape	2 075	0	7	1	27	130	2 240
Western Cape	6 309	0	28	10	188	334	6 869
Head Office	6 245	34	31	97	127	652	7 186
Total	**49 134**	**34**	**136**	**144**	**1 009**	**2 765**	**53 222**

Vehicles in the SAPS are procured, through the National Treasury Transversal Contract RT57. A total number of 4 662 vehicles, valued at R1 545 091 181.73, were ordered and 4 661 vehicles were delivered, of which 4 637 or 99,48% vehicles were paid for, in 2019/2020. The outstanding invoices will be paid, in the 2020/2021 financial year.

A total of 2 268 vehicles were auctioned, generating R81 152 814.60. A further R545 361.50 was generated from 575 vehicles, canopies and engines which were compacted.

Despite the delays in the late awarding of uniform manufacturing and supply contracts, the SAPS was able to issue uniforms to maintain the image of the SAPS, thereby, contributing to police visibility. Uniforms valued at R174 809 586.84, were issued to members, nationally, from three provisioning stores and six uniform shops situated, in the North West, the Eastern Cape, Limpopo, the Northern Cape, the Free State and Gauteng Provinces. It is standard for uniform to be ordered on the Provisioning Administration System and to be delivered to the accounting stations and thereafter, to be issued to the relevant personnel, if access to any of the uniform shops is not possible. Counter issues of clothing, at the respective uniform shops and a mobile issuing service to issue uniform, is also rendered. The SAPS has a road transport service, consisting of 23 trucks and 26 trailers that deliver uniforms and other goods, countrywide. A total of 415 755 km were covered, in 2019/2020.

Crime kits plays a key role in the investigation and detection of GBV and crime, in general. In 2019/2020, a total of 724 547 various crime kits were ordered through quotation and bidding processes and a total of 689 774 were delivered. A total amount of R137 205 101, 70 were used. A total of 34 800 crime kits, valued at R8 902 983.80, is yet to be delivered.

There are currently no contracts in place for the procurement of ammunition, pyrotechnics and BRVs. Ammunition is currently procured on a quotation basis. Bids were advertised, evaluated and are currently awaiting recommendation/approval from the Bid Adjudication Committee. A bid for BRV spare parts has been advertised and are currently been evaluated. There is no contract in place for the procurement of complete BRVs, as the SAPS is busy with a request for information for a new generation light weight BRV.

ENHANCING INFORMATION SYSTEMS/INFORMATION AND COMMUNICATION TECHNOLOGY, TO SUPPORT THE BUSINESS OBJECTIVES OF THE SAPS

Identified Information and Communication Technology Infrastructure deliverable

- Existing radio high sites were successfully maintained, to ensure effective communication, in support of policing.
- A total of 16 Radio High Sites were maintained, in the Eastern Cape.
- A total of 35 Microwave links were installed and configured.
- Maintenance of CCTV, in the FSL environment contributed to the safe custody of exhibits.
- Existing WAN and LAN infrastructure were successfully maintained, to ensure effective and continued communication and systems availability for SAPS.
- ICT Infrastructure and End-User Equipment (EUE) were fully commissioned at newly established police stations, namely; Kwa-Mhlushwa, in Mpumalanga and Pholile and Qhasa, in the Eastern Cape.
- Enhancing the National IS/ICT Operation Centre by rolling-out the Smart IS/ICT Monitoring Solution for real time monitoring of the SAPS Network Services, Hosting Services, Application Systems and for service level monitoring solution and measuring the service levels, as provided by the respective SAPS IS/ICT Service providers.
- SAPS bandwidth capacity (data line) for 276 sites were upgraded to improve data transmission.
- Existing EUE were successfully maintained, to ensure SAPS business continuity.
- EUE were operationalised.

Prioritised sites implemented with person management capabilities

- Implementation of PIVA at 338 sites of the 266 planned sites for the 2019/2020 financial year enabled identification, verification and arrest of wanted suspects. PIVA is upgraded to PVS, which include improved functionalities.

Prioritised IS solutions deliverables achieved

- Development of functionalities, to enable the management and monitoring of the investigations/process related to cases of GBV.
- SAPS systems were successfully maintained, to enable for example; forensic leads/hits management, generation of previous convictions for the purpose of opposing bail, to enable effective case management and to ensure SAPS business continuity.
- The MySAPS application was launched, on 25 October 2019, in support of crime tip-off reporting.
- Integration development of the Enhanced Firearms Register System (EFRS) and Police Financial Management System (POLFIN) for the verification of payment on the POLFIN System for every firearm application before it is further processed, was completed 09 March 2020.

» An e-connectivity capability (eSubmission) interim solution that enables firearm dealers, manufacturers and gunsmiths to submit their stock, as required by the Firearms Control Act, 2000 was implemented, in August 2019.

» Implementation of NPIS at 76 sites for a centralised digital photo capturing capability.

INCULCATE A CULTURE OF UNCOMPROMISING COMPLIANCE AND PERFORMANCE MANAGEMENT

The enabling national structure for the Inspectorate was approved by the National Commissioner, on 11 October 2018, which reverted Management Intervention back to the Inspectorate. The structure was only partially implemented with the appointment of the Divisional Commissioner, on 15 July 2019. The Inspectorate is responsible for the professional knowledge-based management of interventions, focusing on non-compliance and/or poor performance of the organisation towards achieving its constitutional objectives. In response to its functional mandate and operational strategy, the Inspectorate continued with the focus of Management Intervention to finalise the overall crimes methodology it employed. This required the execution of standards, in 2019/2020, which culminated in the handing-over certificates being handed over to the 270 policing sites that signalled the finalisation of the Inspectorate's involvement at the identified sites, as part of Management Intervention's intervention strategy. Inspections of a thematic nature (emanating from thematic interventions rolled over from Management Intervention), which included Management Intervention Projects relating to service terminations, SAPS Garages and the reduction of civil claims, were continued.

A Management Intervention Project was initiated, in 2016, due to the fact that service terminations were not finalised in the standard turnover time of 60 working days and therefore, has a financial impact on families of deceased members and members who exited the organisation. The aim of the intervention was to intervene in all processes from reporting a service termination to finalisation (exit documents submitted to pension funds), the finalisation (submission to the pension fund) of service terminations within 60 working days and the monitoring of pay outs by pension funds. Since 2016, various processes were put in place to achieve the desired result of an expedient process on terminating service within the organisation. During the 2019/2020 financial year, a total of 17 sites, throughout the country were inspected to determine compliance to the regulatory framework that underpins the management of service terminations.

A Management Intervention Project, was initiated in 2016, to evaluate the reasons for delays in vehicle repairs, services and maintenance, to implement proper corrective measures to resolve the challenges and to set sustainable standards to prevent the recurrence of similar practices. During 2019/2020, a total of 21 sites, throughout the country, were inspected to determine compliance to the regulatory framework that underpins the management of state garages.

A Management Intervention Project, was initiated in 2016, to address the root causes, establish ownership and accountability for the prevention of incidents, leading to civil claims. Although the project has achieved momentum in many areas, relating to policy, processes, procedures and instructions, more time and effort was required for results to be evident. During 2019/2020, a total of 22 thematic inspections were conducted at police stations, focusing on areas that could potentially result in civil claims. This was done primarily to determine compliance in high risk areas in the operational policing environment and to create an awareness regarding compliance to processes and procedures. The aim was to achieve proactivity towards reducing civil claims in areas, such as unlawful arrest and detention and state vehicle accidents, among others.

As part of a Gauteng Management proactive approach to improving on audit findings, the Inspectorate was tasked to inspect police stations, in the Gauteng Province, in order to ascertain the validity, reliability and correctness of information linked to performance indicators. These were assessed in line with Technical Indicator Descriptions for each applicable performance indicator detailing the process and controls that regulate it. A total of 30 sites were inspected and reported on.

Service Complaints address complaints of poor service delivery against the SAPS, which are received through various channels, such as the Presidential Hotline and the SAPS Call Centre for Service Complaints. The complaints received, ranged from police negligence, police misconduct, poor investigation, poor response, poor communication and complaints against SAPS management or member against member. At the end of the 2019/2020 financial year, an overall finalisation rate of 90,06% (10 496 from a total of 11 654) was achieved, of which 8 926 or 85,04% of complaints were finalised within 30 working days, exceeding the planned target of 70%.

The improved management of service complaints is underpinned by the establishment of the National and Provincial Service Complaint Forums.

AUDIT APPROACH, 2019/2020

The audit of performance information by the AGSA, for the 2019/2020 financial year, was initiated, during November 2019, focusing on performance information recorded, in the first two quarters of the financial year. The interim audit commenced according to plan and an interim audit management letter was issued, which the Department responded to.

On 15 March 2020, the President of South Africa declared a national state of disaster and announced a national lockdown, including measures, such as immediate travel restrictions. The introduction of the initial "hard" lockdown (Alert Level 5) and associated restrictions impacted negatively on the audit by the AGSA and most of the planned activities were suspended. With the easing of lockdown regulations, an opportunity unfolded to continue with the audit under strict circumstances.

The continuation of the audit amidst the COVID-19 pandemic required extraordinary measures, to ensure the safety of both SAPS and AGSA employees. Limited audit activities were initiated at the time COVID-19 infections were increasing, including an increase in the number of SAPS employees infected and affected. The audit of performance information was then limited to Programme 2 only.

The following measures were implemented, to mitigate the risks associated with exposure to COVID-19:

- Entry and exit meetings were conducted virtually to limit interaction.
- Central nodal points were established to facilitate the flow of information and documents required for audit purposes.
- Supporting evidence were transported to central locations determined, in consultation with the AGSA.
- Physical visits to audit locations were limited and where it was necessary, COVID-19 prevention protocols were strictly adhered to.

As a result of the aforementioned preventative measures, no incidents of infections were recorded.

Following the audit of the 2018/2019 performance information, the AGSA raised material findings, as a result of the SAPS's inability to provide detailed datasets relating to reported crime, detection rates, trial-ready rates and reaction time to complains. Due to the magnitude of the data required, alternative measures were explored by the SAPS and the AGSA. Regular meetings took place in this regard, including an assessment by the AGSA auditors specialising in information systems. As a result, the SAPS and the AGSA agreed on a revised methodology that essentially requires the submission of datasets after consideration of data schedules and sample selection by the AGSA.

DOWN MANAGEMENT OF CIVIL CLAIMS

The Compliance Policy: Policy 1 of 2020 for the SAPS, was approved by the National Commissioner. Amendments to the Policy is envisaged to align certain functions, which will form part of the implementation of the Policy. The draft implementation plan already assigns certain duties and will set the tone for ensuring proper implementation.

During the 2019/2020 financial year, a total of 14 845 new claims were registered, to the value of R2 033 295 750. A total of 49 040 claims to the value of R6 716 929 846 were still pending, as at 31 March 2020. These claims emanate from previous years, as well as the current year. A total of 38 045 claims were reduced (3 789 paid and 34 256 cancelled), during the 2019/2020 financial year. The significant increase in the "cancelled claims", is due to the project the organisation undertook to suspend dormant claims.

The breakdown of civil claims pending at end of 31 March 2020, is as follows:

Office	Number of claims	Amount
Gauteng	17 313	R2 371 333 736
KwaZulu-Natal	12 504	R1 712 652 749
Eastern Cape	6 193	R848 245 239
Limpopo	4 118	R564 035 830
Mpumalanga	3 438	R470 897 325
North West	2 539	R347 762 742
Western Cape	1 288	R176 415 286
Free State	855	R117 107 973
Northern Cape	324	R44 377 758
Head Office	468	R64 101 207
Total	**49 040**	**R6 716 929 845**

Civil claims are caused by the conduct of members. Operational environments are responsible in ensuring that incidents leading to civil claims are decreased. With regard to initiatives to curb the increase of civil claims, the civil claims project is being headed by the Inspectorate Division and each operational environment is responsible with regard to complying with all official directives, as claims are the result of non-compliance to these directives.

Other interventions to reduce civil claims, include the following:

- The inclusion of a performance indicator on the reduction of civil claims in the annual operational plans of all provinces and operational divisions.
- A monthly civil claims/litigation report to monitor and address trends.
- The down management of incidents leading to civil claims, as a performance indicator, in the performance plans of managers.
- Investigations into allegations of collusion and touting between members, attorneys of private firms and state attorneys.
- Workshops conducted at police stations on search and seizures, arrests and detention, bail applications, the use of force, the Domestic Violence Act, 1998, statement taking and civil claims.
- Conducting of legal risk inspections at police station level.
- Creating awareness amongst members and officials on conduct that leads to unnecessary civil claims.
- Distribution of informative material, in support of awareness campaigns.
- Defending opportunistic litigation.
- Availability of legal support, prior to operations.

From a management of litigation point of view, the following ongoing action steps have been taken to down manage pending civil claims (contingent liabilities):

- The implementation of the civil claims litigation management plan.
- The finalisation of dormant files, in terms of guidelines provided to all provinces.
- The settlement of matters, which on merit are undefendable.
- Case management, meaning that all pending litigation files must be monitored frequently, to ensure qualitative attention.
- The management of data integrity, in respect of the capturing of all data on the Loss Control System.
- An early warning plan and monthly reports relating to the Civil Claims Litigation Management Plan.
- Performance ratings, with regard to the investigation of civil claims and decisions taken to determine whether or not a matter is defendable.
- The monitoring of progress made with pending litigation files.
- The implementation of shortened procedures.
- Ensuring quality decision making, with respect to settlements, against the initial claim.
- Engagements with the Offices of the State Attorney to resolve matters of common interest.

Legal and Policy Services are not responsible for consequence management, as discipline is a line function. When a letter of demand is received (within six months of the incident), the relevant provincial legal services informs the relevant police station, who must do an investigation and provide a report, with supporting documents to Legal Services. The station commander must

ascertain from the report whether disciplinary steps can be instituted. The Provincial Human Resource Management must also follow-up with the police station whether any disciplinary steps had to be instituted. Once a matter is finalised in court, which could be four to five years after the incident, a decision is made whether a member forfeits state cover, in terms of Treasury Regulations. Due to the fact that Treasury Regulations are so wide, members seldom forfeit state cover, as they have to act maliciously to forfeit state cover. If a member does forfeit state cover, the capital amount paid to a claimant is recovered from the member.

STATISTICAL PERFORMANCE INFORMATION

The SAPS has identified a set of performance information that provides general information about the organisation's performance, in respect of certain of the stated financial programmes, programme objectives and objective statements, in certain instances. The intention of performance information under this category has resulted from the performance information being a joint responsibility between departments and not the sole responsibility of the SAPS. In other instances, statistical performance information is important from a compliance-based perspective and should, therefore, be reported but which is not necessarily, directly associated with the objects of policing.

Objective statement	Performance Information	Estimated performance (2019/2020 to 2021/2022)	Actual performance, for 2019/2020
Transform and professionalise the Service	Extent of implementation of the Strategic Deliverable Schedule	Implementation of the Strategic Deliverable Schedule, focusing on evidence-based tracking of the completion of deliverables, supported by annual estimates of the extent of implementation	The purpose of the Strategic Deliverable Schedule was to track the completion of the strategic commitments in the SAPS Strategic Plan 2014-2019 and the 2019/2020 APP. The Strategic Management Component completed an assessment of the implementation of the schedule, at the end of March 2020, which indicated the following: • Total number of deliverables – 92. • Finalised and approved – 41. • Finalised and awaiting approval – 16. • Draft – 31. • Not yet initiated – 4.

Objective statement	Performance Information	Estimated performance (2019/2020 to 2021/2022)	Actual performance, for 2019/2020
Transform and professionalise the Service	Extent of implementation of the NDP, 2030 High-Level Action Plan	Implementation of the NDP, 2030 High-Level Action Plan, focusing on evidence-based tracking of the completion of deliverables, supported by annual estimates of the extent of implementation	A progress report on the extent of implementation of the NDP, 2030 High-Level Action Plan was compiled, at the end of the 1st quarter, for submission to the PCoP. The evidence provided indicated that progress had been achieved, in respect of all of the deliverables highlighted in the Plan. The implementation of the NDP, 2030 High-Level Action Plan was, however, pre-empted by the review of the NDP, 2030 by the DPME, to inform a revised approach to the MTSF (2019-2024), which culminated in the development of a detailed MTSF (2019-2024). The MTSF (2019-2024) subsequently guided the Department in the focused implementation of the NDP, 2030, providing the basis for the inclusion of specific interventions and performance measures in the Department's strategic plan and APPs.
	Extent of implementation of the Legislative Compliance Framework	Implementation of the Legislative Compliance Framework, focusing on evidence-based tracking of the completion of deliverables, supported by annual estimates of the extent of implementation	The Compliance Policy: Policy 1 of 2020 for the SAPS, was approved by the National Commissioner. Amendments to the Policy is envisaged to align certain functions. This will form part of the implementation of the Policy. The draft implementation plan already assigns certain duties and will set the tone for ensuring proper implementation.

Objective statement	Performance Information	Estimated performance (2019/2020 to 2021/2022)	Actual performance, for 2019/2020
Transform and professionalise the Service	Number of internships undertaken	Increase, by 10% to 1 152, in 2019/2020	By the end of March 2020, a total number of 1 158 interns were placed within the SAPS.
	Percentage financial disclosures of specified categories of personnel submitted within prescribed timeframes	100% submission of financial disclosures as follows: Senior Management Service (SMS) members, by 30 April 2019 Middle Management Service (MMS) members, by 30 June 2019 Financial management and Supply Chain Management personnel, by 31 July 2019	 100% or 907 SMS members, by 30 April 2019. 2 221 or 96% MMS members, by 30 June 2019. 10 602 or 95% financial management and supply chain management personnel, by 31 July 2019.
Establish an adequate human resource capability	Percentage decrease in murders of SAPS Act members on duty	Reduce over the medium-term	A total number of 35 SAPS Act members were murdered on duty, in 2019/2020, compared to 27, in 2018/2019, an increase of 29,63%. An analysis of incidents where members were killed on duty indicated that, most members were murdered when attending to complaints, during the apprehension and searching of suspects, as well as during crime prevention operations (stop-and-searches, etc.).
	Percentage of people with disabilities employed, in relation to the total workforce	Ensure human resource management practices support 2% of members with disability employed, in relation to the total workforce	1,64% (3 075 from a total of 187 358).

Objective statement	Performance Information	Estimated performance (2019/2020 to 2021/2022)	Actual performance, for 2019/2020
Establish an adequate human resource capability	Number of identified organisational structures evaluated	21 organisational structures, two national structures and 19 provincial structures (including two provincial offices, five districts and 12 high crime weight stations) evaluated	Evaluations were conducted at the following environments: National structures • Detective Service Academy • Research • FCS Units • Murder and Robbery • Taxi Violence • Cold Case Investigation Unit • Organised Crime Investigation Unit • Commercial Crime Investigation Unit Provincial structures • Executive Support within the Office of the Provincial Commissioner for all nine provinces • Specialised units, within all nine provinces (Organised Crime Investigation Unit, Commercial Crime Investigation Unit, FCS, Murder and Robbery, Taxi Violence, Cold Case investigative capacity) Districts Five districts, in the Gauteng Province, including the Tshwane Metropolitan Municipality, Ekurhuleni Metropolitan Municipality, West Rand District Municipality and the Johannesburg Metropolitan Municipality. High crime weight stations All 30 high crime weight stations
Establish an adequate human resource capability	Percentage of prioritised vacant funded posts filled, within the prescribed time frame, from the date of advertisement	90% of prioritised vacant funded posts filled, within 6 months, from the date of advertisement	92,95% (2 929 from a total of 3 151). A total of 296 posts were withdrawn and 49 posts were pending within the six months from the date of advertisement.

Objective statement	Performance Information	Estimated performance (2019/2020 to 2021/2022)	Actual performance, for 2019/2020
Sound financial management	Percentage of legitimate invoices paid within 30 days	99% paid, within 30 days	99,76% (1 435 080 from a total of 1 438 526). A total of 3 446 invoices were paid beyond the 30 days' target and payment for 124 invoices were still pending, at the end of March 2020.
Improvement of requisite resources to sustain quality service delivery on strategic priorities	Ratio of personnel to vehicles	Maintain a ratio of 4.51:1 personnel to vehicles	The ratio, at the end of March 2020, was 3.81:1, based on 49 134 motor vehicles and 187 358 personnel.
	Percentage of firearms to be distributed, in relation to the demand received from end-users	100% firearms to be distributed, in relation to the demand received	A total number of 1 500 Beretta PX4 Pistols were procured and received. A total number of 1 586 or 100% firearms were approved and distributed, in relation to the demand (1 247 Beretta PX4 pistols and 339 R5 assault rifles). A total number of 7 608 firearms were placed on the board of survey and disposed of, in the 2019/2020 financial year.
Enhancing IS/ICT, to support the business objectives of the SAPS	Percentage of IS/ICT governance deliverables achieved	Increase to 85,00%, in 2019/2020	IS/ICT Governance approved, implemented and improved within the SAPS: • The ICT implementation plan was approved, on 20 October 2019. • The Technology Steering Committee was established, on 22 December 2019. • The Technology Advisory Committee was adopted by the Board of Commissioners, on 26 February 2020. • The Value Chain Management was adopted by the Board of Commissioners, on 26 February 2020.
Inculcate a culture of uncompromising compliance and performance management	Percentage of identified audit recommendations implemented	Ensure 100% implementation	Recommendations on audit findings issued by the AGSA, in 2018/2019 were, where feasible, incorporated into an Action Plan to address these findings.

OVERALL PERFORMANCE

The Administration Programme identified 34 targets, for the 2019/2020 financial year, compared to 30, in 2018/2019. A total number of 16 targets or 47,06% were achieved and 18 targets were not achieved, in 2019/2020.

STRATEGIES TO OVERCOME AREAS OF UNDERPERFORMANCE

The Administration Programme underperformed in the following areas, in 2019/2020:

- Percentage of minimum workforce maintained against the approved establishment
- Percentage of identified ICT Infrastructure deliverables achieved
- Percentage of prioritised IS solutions deliverables achieved
- Number of prioritised areas with approved fixed establishments
- Percentage of operational personnel declared competent in the modules: Legal Principles and the Use of Firearms: Handgun
- Planned police facility projects completed, as per the SAPS Infrastructure Development Programme in the following prioritised areas: Planned Maintenance
- Planned police facility projects completed, as per the SAPS Infrastructure Development Programme in the following prioritised areas: Number of new mobile contact points procured
- Percentage of BRVs distributed, in relation to the demand
- Number of SAPS-owned firearms reported as stolen/lost
- Number of identified digital radio communication infrastructure sites modernised and implemented (high sites)
- Number of identified National Network Communication Infrastructure sites modernised and implemented (WAN and LAN)
- Number of prioritised sites implemented with CCTV
- Number of RPAS issued to prioritised areas
- Number of prioritised sites implemented with case management capabilities (ICDMS)
- Number of prioritised sites implemented with modernised incident management capabilities (10111 Centres and Vehicle Monitoring Units)
- Percentage of audits completed, in terms of the approved Internal Audit Plan
- Percentage of planned forensic investigations finalised
- Audit opinion on the SAPS's predetermined objectives by the AGSA

STRATEGIES THAT HAVE BEEN/WILL BE IMPLEMENTED TO ADDRESS THE UNDERPERFORMANCE

Percentage of minimum workforce maintained against the approved establishment

A total number of 3 000 active current serving reservists will be recruited, as permanent members, by 1 October 2020, subject to the audit of applications. A total of 500 former non-commissioned officers (constables, sergeants and warrant officers) will also be re-enlisted, by 1 October 2020 and additional PSA employees will be appointed. Posts will be re-advertised, based on the lifting of lockdown restrictions pertaining to the COVID-19 pandemic. An additional 300 posts will also be allocated for general workers, at police station level.

Percentage of identified ICT Infrastructure deliverables achieved

- The procurement process for WAN equipment is in progress. The modernisation and implementation of WAN equipment will proceed, in 2020/2021.
- The establishment of a SAPS procurement vehicle for LAN equipment.
- The recommendation and awarding of the CCTV bid, to be concluded and proceed with installation.
- The appointment of technical resources by SITA for the roll-out of Windows10 and the operationalisation of EUE will be expedited.
- The modernisation of prioritised hosting capabilities to proceed, during 2020/2021.
- Expedite the application for obtaining servitudes at identified radio high sites, caused by lease agreement issues between the Department of Public Works and Infrastructure, SAPS Facility Management and land owners.
- The awarding of the bid for radio infrastructure at high sites by the SAPS.
- The roll-out of smart IS/ICT monitoring solutions, related to hosting service monitoring and further application system/solution monitoring.

Percentage of prioritised IS solutions deliverables achieved

- Expedite the appointment of resources to develop the IPM and an alternative resolution to the ICDMS - Investigate Case projects by SITA.
- The recommendation and awarding of the following bids to be expedited, during 2020/2021:
  - AFIS
  - Enterprise Risk Management System
  - Field Terminal Devices
  - Emergency Response System/Fleet Management Solution
  - Radio Frequency Identification
  - Labware Forensic Services
- Reprioritise sites for the implementation of the E-TEL.
- Strengthening of engagements through the governance structure for service delivery improvement.

Number of prioritised areas with approved fixed establishments

The work study investigations that are inclusive of the fixed establishments for FCS Units and Organised Crime were finalised, but not yet approved by the Accounting Officer. The work study investigation for Crime Intelligence was finalised, but additional tasks were requested by the Accounting Officer.

Percentage of operational personnel declared competent in the modules: Legal Principles and the Use of Firearms: Handgun

» Firearm training was suspended, during 2019, due to the unavailability of training aids and was reactivated, in all nine provinces, in February 2020.

» All training was suspended, due the Disaster Management Act, 2002 (Act No 57 of 2002): Regulations relating to COVID-19, during Lockdown Levels 4 and 5. A guideline for the reinstatement of training, including firearm training, are under development, following the introduction of Lockdown Level 3.

Planned police facility projects completed, as per the SAPS Infrastructure Development Programme in the following prioritised areas: Planned Maintenance

Planning and Design: The revision of the Terms of Reference for the appointment of consultants was initiated and is pending the legal opinion from the Legal Counsel.

Execution: The different stages of assessment by consultants will be reviewed to ascertain the classification, in order to avoid a delay during the preparation of tender documentation.

Planned police facility projects completed, as per the SAPS Infrastructure Development Programme in the following prioritised areas: Number of new mobile contact points procured

A new requirement was submitted, on 3 March 2020, for the establishment of a conversion contract.

Percentage of BRVs distributed, in relation to the demand

A bid for BRV spare parts has been advertised and are currently been evaluated. There is no contract in place for the procurement of complete BRVs, as the SAPS is busy with a request for information for a new generation light weight BRV.

Number of SAPS-owned firearms reported as stolen/lost

A letter was sent to the various provincial and divisional offices, to sensitise them on losses and preventative measures. Biannual inspections and certification of firearms are in place to prevent losses.

Number of identified digital radio communication infrastructure sites modernised and implemented (high sites)

» Expedite the application for obtaining servitudes at identified radio high sites, caused by

lease agreement issues, between the Department of Public Works and Infrastructure, SAPS Facility Management and land owners.

» The awarding of the bid for radio infrastructure at high sites.

Number of identified National Network Communication Infrastructure sites modernised and implemented (WAN and LAN)

» The procurement process for WAN equipment is in progress. The modernisation and implementation of WAN equipment will proceed, in 2020/2021.

» The establishment of a SAPS procurement vehicle for LAN equipment.

Number of prioritised sites implemented with CCTV

The recommendation and awarding of the CCTV bid, to be concluded and installation, to proceed.

Number of RPAS issued to prioritised areas

The awarding of the RPAS bid to be concluded, in 2020/2021 and procurement and implementation, to proceed.

Number of prioritised sites implemented with case management capabilities (ICDMS)

ICDMS Administer Case will be aligned to the network infrastructure upgrade at VSAT Sites.

Number of prioritised sites implemented with modernised incident management capabilities (10111 Centres and Vehicle Monitoring Units)

The awarding of the Fleet Management Solution and the Incident Management bid by SITA to be concluded and proceed with implementation.

Percentage of audits completed, in terms of the approved Internal Audit Plan

The Internal Audit Component was requested by management to address an irregular expenditure qualification, issued by the AGSA. As a result, resources were redirected and 22 audits that were planned for, in the 2019/2020 Internal Audit Plan, were replaced with 13 irregular expenditure audits. Furthermore, approval was granted by the SAPS Audit Committee to defer four audits, in terms of the approved Internal Audit Plan. The number of planned audits, in 2019/2020 was, therefore, 153. A total number of 13 audits will be finalised, as soon as restrictions pertaining to the COVID-19 pandemic are eased.

Percentage of planned forensic investigations finalised

Two forensic audits were not finalised, due to restrictions during the COVID-19 pandemic. The audits will be finalised, as soon as restrictions pertaining to the COVID-19 pandemic are eased.

CHANGES TO PLANNED TARGETS

There were no changes to planned targets, in 2019/2020.

LINKING PERFORMANCE WITH BUDGETS

SUBPROGRAMME EXPENDITURE

Subprogramme	2019/2020			2018/2019		
	Final appropriation	Actual expenditure	(Over)/ under expenditure	Final appropriation	Actual expenditure	(Over)/ under expenditure
	R'000	R'000	R'000	R'000	R'000	R'000
Ministry	53 061	53 061	-	50 193	50 193	-
Management	67 795	67 795	-	69 265	69 265	-
Corporate Services	19 887 642	19 658 635	229 007	18 472 564	18 349 957	122 607
Civilian Secretariat	143 051	143 051	-	131 219	131 219	-
Total	**20 151 549**	**19 922 542**	**229 007**	**18 723 241**	**18 600 634**	**122 607**

4.2 PROGRAMME 2: VISIBLE POLICING

PROGRAMME OVERVIEW
The purpose of the Visible Policing Programme is to enable police stations to institute and preserve safety and security; and to provide for specialised interventions and the policing of South Africa's borders. The programme objective is to discourage all crimes, by providing a proactive and responsive policing service that will reduce the levels of priority crimes. The Visible Policing Programme comprises the following three subprogrammes: **Crime Prevention** provides for basic crime prevention and visible policing services at police stations and community service centres. **Border Security** provides for the policing of South Africa's borders. **Specialised Interventions** provides for interventions in medium- to high-risk operations, including the air wing, the Special Task Force (STF) and crime combating units and the protection of valuable and dangerous cargo. The Visible Policing and the Operational Response Services Divisions are the joint custodians of Programme 2: Visible Policing, as contained in the Strategic Plan and the APP of the SAPS. The Visible Policing Division is responsible for the outputs for the Crime Prevention Subprogramme and the Operational Response Services Division is responsible for the Border Security and Specialised Interventions Subprogrammes. Tables 3, 4, 5 and 6 below, outline the actual performance for strategic performance indicators and annual performance indicators, against set targets for the subprogrammes under Programme 2.

STRATEGIC PERFORMANCE INDICATORS, PLANNED TARGETS AND ACTUAL ACHIEVEMENTS

SUBPROGRAMME: CRIME PREVENTION

Table 3: Actual performance against targets

Objective statement	Performance indicator	Actual achievement 2016/2017	Actual achievement 2017/2018	Actual achievement 2018/2019	Planned target 2019/2020	Actual achievement 2019/2020	Deviation from planned target to actual achievement 2019/2020	Comment on deviation
Contribute to the reduction of serious crime[18]	Number of reported serious crimes	Reported serious crimes reduced, by 2,4% from 1 788 139, in 2015/2016, to 1 745 385, in 2016/2017.	Reported serious crimes reduced, by 4,3%, from 1 745 385, in 2016/2017, to 1 670 574, in 2017/2018.	Reported serious crimes increased, by 0,6%, from 1 670 574, in 2017/2018, to 1 681 328, in 2018/2019.	Reduce by 3,73%[19] to 1 618 614	Reported serious crimes reduced, by 2,7%, from 1 681 328, in 2018/2019, to 1 635 896, in 2019/2020.	-17 282	Target not achieved. The increase in serious and violent crimes is due to social ills and other related factors, such as substance abuse (liquor and drugs). There are an increase in new developments and a mushrooming of informal settlements. These developments are outgrowing police capacity to police all the areas. Absence in local community safety plans, which are aligned to Independent Development Plans. Unemployment.

Objective statement	Performance indicator	Actual achievement 2016/2017	Actual achievement 2017/2018	Actual achievement 2018/2019	Planned target 2019/2020	Actual achievement 2019/2020	Deviation from planned target to actual achievement 2019/2020	Comment on deviation
Strengthening the community-centred approach to policing	Percentage of identified police stations that have functional Community Police Forums according to set guidelines	99,39% (1 137 from a total of 1 144 police stations) have functional CPFs, as per the set guidelines.	99,48% (1 140 from a total of 1 146 police stations) have functional CPFs, as per the set guidelines	99,56% (1 144 from a total of 1 149) functional CPFs implemented at police stations, according to set guidelines.	99,00% of 1 149 police stations	99,57% (1 149 from a total of 1 154).	0,57%	Target achieved. Boetsap, Kubusiedrift and Mokopong Police Stations are exempted from having a CPF, as they have no community in the policing precinct, only seasonal workers. Qhasa Police Station, in the Eastern Cape and Moletlane Police Station, in the Limpopo Province do not have functional CPFs, as it are newly established police stations.

ANNUAL PERFORMANCE INDICATORS, PLANNED TARGETS AND ACTUAL ACHIEVEMENTS

SUBPROGRAMME: CRIME PREVENTION

Table 4: Actual performance against targets

Objective statement	Performance indicator	Actual achievement 2016/2017	Actual achievement 2017/2018	Actual achievement 2018/2019	Planned target 2019/2020	Actual achievement 2019/2020	Deviation from planned target to actual achievement 2019/2020	Comment on deviation
Contribute to the reduction of serious crime	Number of reported contact crimes	New performance indicator, in 2017/2018.	Reported contact crimes reduced, by 1,1%, from 609 413, in 2016/2017, to 602 697, in 2017/2018.	Reported contact crimes increased, by 2,6%, from 602 697, in 2017/2018, to 618 472, in 2018/2019.	Reduce by 6,7% to 577 034	Reported contact crimes increased, by 0,6%, from 618 472, in 2018/2019, to 622 206, in 2019/2020.	-45 172	Target not achieved. Most of these crimes are committed indoors between people who know each other, making it difficult to police. Liquor and substance abuse and environmental design play a key role in the commission of these crimes.

Objective statement	Performance indicator	Actual achievement 2016/2017	Actual achievement 2017/2018	Actual achievement 2018/2019	Planned target 2019/2020	Actual achievement 2019/2020	Deviation from planned target to actual achievement 2019/2020	Comment on deviation
Contribute to the reduction of serious crime	Number of reported contact-related crimes	New strategic performance indicator, in 2017/2018.	Reported contact-related crimes reduced, by 4,4%, from 121 424, in 2016/2017, to 116 086, in 2017/2018.	Reported contact-related crimes increased, by 1,5%, from 116 086, in 2017/2018, to 117 814, in 2018/2019.	Reduce by 2% to 115 458	Reported contact-related crimes reduced, by 4,3%, from 117 814, in 2018/2019, to 112 765, in 2019/2020.	2 693	Target achieved. Continuous intelligence-led operations, such as Operation Fiela, operations linked to the JCPS Economic Stimulus Package, Operation Safer Festive Season, Operation Emangusi, Operation Thunder, in the Cape Flats, Operation Ganolimp/ GAUBULET (cash-in-transit heists) and the North West stabilisation operations. Force multipliers, such as reservists, K9 Units, Rapid Rail, Metropolitan Police Service, as well as other government departments joined resources during these operations. Cooperation between the SAPS and the community.

ANNEXURE IP17 552

Objective statement	Performance indicator	Actual achievement 2016/2017	Actual achievement 2017/2018	Actual achievement 2018/2019	Planned target 2019/2020	Actual achievement 2019/2020	Deviation from planned target to actual achievement 2019/2020	Comment on deviation
Contribute to the reduction of serious crime	Number of property-related crimes	New strategic performance indicator, in 2017/2018.	Reported property-related crimes reduced, by 6,0%, from 543 597, in 2016/2017, to 511 122, in 2017/2018.	Reported property-related crimes reduced, by 2,5%, from 511 122, in 2017/2018, to 498 198, in 2018/2019.	Reduce by 2% to 488 234	Reported property-related crimes reduced, by 5,2%, from 498 198, in 2018/2019, to 472 158, in 2019/2020.	16 076	Target achieved. Operations conducted at provincial, cluster and police station level by Intervention and Operational Teams. The utilisation of a coordinated and integrated multidisciplinary approach in the fight against crime.
	Number of reported other serious crimes	New strategic performance indicator, in 2017/2018.	Reported other serious crimes reduced, by 6,4%, from 470 951, in 2016/2017 to 440 669, in 2017/2018.	Reported other serious crimes increased, by 1,4%, from 440 669, in 2017/2018, to 446 844, in 2018/2019.	Reduce by 2% to 437 907	Reported other serious crimes reduced, by 4,0%, from 446 844, in 2018/2019, to 428 767, in 2019/2020.	9 140	Target achieved. Continuous intelligence-led operations, such as Operation Fiela, operations linked to the JCPS Economic Stimulus Package and Operation Safer Festive Season contributed to the decreased of other serious crimes.

Objective statement	Performance indicator	Actual achievement 2016/2017	Actual achievement 2017/2018	Actual achievement 2018/2019	Planned target 2019/2020	Actual achievement 2019/2020	Deviation from planned target to actual achievement 2019/2020	Comment on deviation
Contribute to the reduction of serious crime	Number of reported serious crimes at the identified 30 high crime weight stations[20]	New strategic performance indicator, in 2019/2020.	New performance indicator, in 2019/2020.	Reported serious crimes at the identified 30 high crime weight stations reduced, by 2,11% from 242 921 in 2017/2018 to 237 787, in 2018/2019.	Reduce by 3,73% to 228 918	Reported serious crimes at the identified 30 high crime weight stations reduced, by 14,2% from 237 787 in 2018/2019 to 204 109, in 2019/2020.	24 809	Target achieved. Intelligence-led operations. The allocation of resources to the identified 30 high crime weight stations. An integrated approach to policing, through the use of force multipliers, such as reservists, K9 Units, Rapid Rail, Metropolitan Police Service, as well as other government departments who joined resources during these operations. Cooperation between the SAPS and the community.

Objective statement	Performance indicator	Actual achievement 2016/2017	Actual achievement 2017/2018	Actual achievement 2018/2019	Planned target 2019/2020	Actual achievement 2019/2020	Deviation from planned target to actual achievement 2019/2020	Comment on deviation
Contribute to the reduction of serious crime	Number of reported contact crimes at the identified 30 high crime weight stations[21]	New performance indicator, in 2019/2020.	New performance indicator, in 2019/2020.	Reported contact crimes at the identified 30 high crime weight stations increased, by 1,34% from 92 887 in 2017/2018 to 94 131, in 2018/2019.	Reduce by 6,7% to 87 824	Reported contact crimes at the identified 30 high crime weight stations reduced, by 0,1%, from 94 131, in 2018/2019 to 94 230, in 2019/2020.	-6 406	Target not achieved. Most of these crimes are committed indoors between people who know each other, making it difficult to police. Liquor and substance abuse and environmental design play a key role in the commission of these crimes.
	Number of stolen/lost and illegal firearms recovered[22]	17 260	18 592	7 141	Increase by 1,00% to 5 404[23]	4 204	-1 200	Target not achieved. The non-circulation of firearms, due to the fact that the serial numbers have been filed off and the late circulation of firearms.

Objective statement	Performance indicator	Actual achievement 2016/2017	Actual achievement 2017/2018	Actual achievement 2018/2019	Planned target 2019/2020	Actual achievement 2019/2020	Deviation from planned target to actual achievement 2019/2020	Comment on deviation
Contribute to the reduction of serious crime	Number of identifiable stolen/lost SAPS firearms recovered[24]	71	358	362	Increase by 10,00% to 156	459	303	Target achieved. Continuous intelligence-led operations, such as Operation Fiela, operations linked to the JCPS Economic Stimulus Package, Operation Safer Festive Season, Operation Emangusi, Operation Thunder, in the Cape Flats, Operation Ganolimp/ GAUBULET (cash-in-transit heists) and the North West stabilisation operations.
	Number of stolen/robbed vehicles recovered	28 475 vehicles were recovered, including 23 311 identified and 5 164 unidentified vehicles.	27 747 vehicles were recovered, including 22 093 identified, 5 499 unidentified vehicles and 1 55 vehicles recovered during cross-border operations.	28 418 vehicles were recovered, including 22 442 identified vehicles, 5 773 unidentified vehicles and 203 vehicles recovered during cross-border operations.	Maintain the number of stolen/ robbed vehicles recovered at 36 548	36 674 vehicles were recovered, including 31 725 identified vehicles, 4 786 unidentified vehicles and 163 vehicles recovered during cross-border operations.	126	Target achieved. Intelligence driven operations and ongoing crime prevention actions, such as roadblocks, patrols, vehicle searches and stop--and-searches, as well as the project to clear the Vehicle Safeguarding Services, in all Provinces.

ANNEXURE IP17 556

Objective statement	Performance indicator	Actual achievement 2016/2017	Actual achievement 2017/2018	Actual achievement 2018/2019	Planned target 2019/2020	Actual achievement 2019/2020	Deviation from planned target to actual achievement 2019/2020	Comment on deviation
Contribute to the reduction of serious crime	Number of escapees from police custody[25]	A total of 905 persons escaped from police custody. The 905 escapees represent 0,060% of the 1 510 940 persons arrested and charged, during 2016/2017.	A total of 785 persons escaped from police custody. The 785 escapees represent 0,054% of the 1 467 217 persons arrested and charged, during 2017/2018.	A total of 656 persons escaped from police custody. The 656 represent 0,048% of the 1 360 319 persons arrested and charged, during 2018/2019.	Reduce by 2,00% to 769	A total of 680 persons escaped from police custody.	89	Target achieved. The implementation of a National Detention Management Plan through Provincial Implementation Plans, as well as the implementation and monitoring of the National Instruction, in relation to custody management to prevent escape incidents and other offences by detainees. Consequence management are taken for each escape incident.

Objective statement	Performance indicator	Actual achievement 2016/2017	Actual achievement 2017/2018	Actual achievement 2018/2019	Planned target 2019/2020	Actual achievement 2019/2020	Deviation from planned target to actual achievement 2019/2020	Comment on deviation
Enhance quality service delivery and responsiveness	Percentage of applications for new firearm licenses finalised within 90 working days	79,82% (330 189 from a total of 413 643 finalised)[26].	78,41% (80 920 from a total of 103 205 finalised).	70,31% (69 770 finalised from a of total of 99 236 received).	90,00% of new applications finalised within 90 working days	80,58% (81 976 finalised from a of total of 101 733 received).	-9,42% points	Target not achieved. The slowness of the mainframe system. The system is unable to synchronise the scanned items with the application, e.g. photos, signature, etc. Delay in the finalisation of criminal record reports, due to system downtime.
	Average national police reaction time to Alpha Complaints	17:18 minutes	17:11 minutes	17:05 minutes	17:37 minutes	17:24 minutes	00:13 seconds	Target achieved. Daily, weekly, monthly and quarterly monitoring.

Objective statement	Performance indicator	Actual achievement 2016/2017	Actual achievement 2017/2018	Actual achievement 2018/2019	Planned target 2019/2020	Actual achievement 2019/2020	Deviation from planned target to actual achievement 2019/2020	Comment on deviation
Enhance quality service delivery and responsiveness	Average national police reaction time to Bravo Complaints	21:05 minutes	20:42 minutes	20:28 minutes	21:28 minutes	21:13 minutes	00:15 seconds	Target achieved. Daily, weekly, monthly and quarterly monitoring.
	Average national police reaction time to Charlie Complaints	19:01 minutes	18:47 minutes	18:48 minutes	19:13 minutes	19:22 minutes	-00:09 seconds	Target not achieved. Complex spatial design relating to the continuous mushrooming and increase of informal settlements across the country, characterised by environmental design factors, such as the lack of accessible streets, street lights, street names and house numbers, as well as poor road conditions/road infrastructure.
	Percentage of police stations rendering a victim-friendly service to victims of rape, sexual offences, domestic violence and abuse	100% (All 1 144 police stations are rendering a victim-friendly service to victims of rape, sexual offences, domestic violence and abuse).	100% (All 1 146 police stations are rendering a victim-friendly service to victims of rape, sexual offences, domestic violence and abuse).	100% (All 1 149 police stations are rendering a victim-friendly service to victims of rape, sexual offences, domestic violence and abuse).	100% of 1 149 police stations compliant with 2 of the 3 set criteria[27]	99,91% (1 153 from a total of 1 154) police stations compliant with 2 of the 3 set criteria.	-0,09% points	Target not achieved. Qhasa Police Station, in the Eastern Cape is a newly established police station and is not fully operational.

Objective statement	Performance indicator	Actual achievement 2016/2017	Actual achievement 2017/2018	Actual achievement 2018/2019	Planned target 2019/2020	Actual achievement 2019/2020	Deviation from planned target to actual achievement 2019/2020	Comment on deviation
Strengthening the community centred approach to policing	Number of rural and rural/urban mixed police stations implementing the set criteria[28] of the four pillars of the Rural Safety Strategy	A total number of 845 from 879 identified police stations.	A total number of 827 from 888 identified police stations.	A total number of 880 from 885 identified police stations.	865 from a total of 883 identified police stations	A total number of 877 from 883 identified police stations.	12	Target achieved. A total number of two police stations, one each, in the Eastern Cape and the Western Cape Provinces, were incorrectly classified as rural or rural/urban mixed police stations and could not implement the Rural Safety Strategy. A Rural Safety Coordinator could not be appointed at four police stations, in the Free State, due to a shortage of human capacity.

Objective statement	Performance indicator	Actual achievement 2016/2017	Actual achievement 2017/2018	Actual achievement 2018/2019	Planned target 2019/2020	Actual achievement 2019/2020	Deviation from planned target to actual achievement 2019/2020	Comment on deviation
Strengthening the community centred approach to policing	Number of community outreach campaigns conducted	83 (22 national and 61 provincial).	88 (24 national and 64 provincial).	98 (31 national and 67 provincial).	65[29] (20 at national level and 45 at provincial level)	75 (23 national and 52 provincial).	10	Target achieved. An imbizo regarding the crime situation, engagements by the Deputy Minister on school and campus safety and the roll-out of the Traditional Leadership Framework.
	Number of schools identified to implement the School Safety Programme	The School Safety Programme was implemented at 1 210 or 100% identified schools.	The School Safety Programme was implemented at 1 249[30] identified schools.	The School Safety Programme was implemented at 1 300 identified schools.	1 300[31]	1 250	-50	Target not achieved. The School Safety Programme was not implemented at 49 schools, in KwaZulu-Natal, as they were closed, from November 2019, due to public protests. One identified school, in Limpopo, namely; Letsiri Primary was closed.

STRATEGIC PERFORMANCE INDICATORS, PLANNED TARGETS AND ACTUAL ACHIEVEMENTS

SUBPROGRAMMES: BORDER SECURITY AND SPECIALISED INTERVENTIONS

Table 5: Actual performance against targets

Objective statement	Performance indicator	Actual achievement 2016/2017	Actual achievement 2017/2018	Actual achievement 2018/2019	Planned target 2019/2020	Actual achievement 2019/2020	Deviation from planned target to actual achievement 2019/2020	Comment on deviation
Subprogramme: Border Security								
Effective border security management	Percentage of crime-related hits reacted to, as a result of the Movement Control System (MCS) and Enhanced Movement Control System (ECMS)	Reacted to 100% crime-related hits, as a result of MCS/EMCS screening of 2 723 wanted persons and 3 411 circulated stolen/ robbed vehicles.	Reacted to 100% crime-related hits, as a result of MCS/EMCS screening of 2 879 wanted persons and 3 661 circulated stolen/ robbed vehicles.	Reacted to 100% crime-related hits, as a result of MCS/EMCS screening of 2 780 wanted persons and 2 895 circulated stolen/ robbed vehicles.	100%	Reacted to 100% crime-related hits, as a result of MCS/EMCS screening of 2 304 wanted persons and 2 204 stolen/ robbed vehicles.	-	Target achieved.
	Percentage of profiled vehicles/ containers and cargo consignment searched for illicit drugs, firearms, stolen/ robbed vehicles, consignment, smuggled persons and counterfeit goods/ contraband	100% (25 232, including 8 787 vehicles, 7 810 containers and 8 635 cargo).	100% (21 425 including 10 587 vehicles, 7 317 containers and 3 521 cargo).	100% (19 608 including 8 436 vehicles, 6 252 containers and 4 920 cargo).	100%	100% (18 122, including 7 441 vehicles, 6 640 containers and 4 041 cargo profiled and searched).	-	Target achieved.

Objective statement	Performance indicator	Actual achievement 2016/2017	Actual achievement 2017/2018	Actual achievement 2018/2019	Planned target 2019/2020	Actual achievement 2019/2020	Deviation from planned target to actual achievement 2019/2020	Comment on deviation
Subprogramme: Specialised Interventions								
Police or stabilise incidents of public disorder and crowd management	Percentage of crowd management incidents policed or stabilised	100% (14 693, including 10 978 peaceful and 3 715 unrest crowd management incidents policed/ stabilised.	100% (14 393, including 10 853 peaceful and 3 540 unrest crowd management incidents policed/ stabilised.	100% (15 957, including 11 431 peaceful and 4 526 unrest crowd management incidents policed/ stabilised.	100%	100% (12 244, including 8 608 peaceful and 3 636 unrest crowd management incidents polices/ stabilised).	-	Target achieved.
Police incidents of a security nature which require specialised intervention	Percentage of medium to high-risk incidents responded to, in relation to requests received	100% (2 420, including 2 204 incidents responded to by NIU and 216 incidents responded to by the STF).	100% (2 629, including 2 407 incidents responded to by NIU and 222 incidents responded to by STF).	100% (2 094, including 1 920 incidents responded to by NIU and 174 incidents responded to by STF).	100%	100% (1 202, including 977 incidents responded to by NIU and 225 incidents responded to by STF).	-	Target achieved.
Safeguarding of valuable and/or dangerous government cargo[32]	Percentage of safe delivery of valuable and/ or dangerous government cargo, in relation to the number of cargo protection provided	100% protection was provided to 176 cargos with no security breaches.	100% protection was provided to 206 cargos with no security breaches.	100% protection was provided to 199 cargos with no security breaches.	100% protection provided without security breaches	100% protection was provided to 171 cargos with no security breaches.	-	Target achieved.

ANNUAL PERFORMANCE INDICATORS PLANNED TARGETS AND ACTUAL ACHIEVEMENTS

SUBPROGRAMMES: BORDER SECURITY AND SPECIALISED INTERVENTIONS

Table 6: Actual performance against targets

Objective statement	Performance indicator	Actual achievement 2016/2017	Actual achievement 2017/2018	Actual achievement 2018/2019	Planned target 2019/2020	Actual achievement 2019/2020	Deviation from planned target to actual achievement 2019/2020	Comment on deviation
Subprogramme: Border Security								
Effective border security management	Percentage of crime-related hits reacted to, as a result of MCS and ECMS screening on wanted persons/circulated stolen or robbed vehicles							
	Reaction to hits (wanted persons)	Reacted to 100% crime-related hits, as a result of MCS/EMCS screening of 2 723 wanted persons.	Reacted to 100% crime-related hits, as a result of MCS/EMCS screening of 2 879 wanted persons.	Reacted to 100% crime-related hits, as a result of MCS/EMCS screening of 2 780 wanted persons.	100%	Reacted to 100% crime-related hits, as a result of MCS/EMCS screening of 2 304 wanted persons.	-	Target achieved.
	Reaction to hits (stolen or robbed vehicles)	Reacted to 100% crime-related hits, as a result of MCS/EMCS screening of 3 411 circulated stolen/ robbed vehicles.	Reacted to 100% crime-related hits, as a result of MCS/EMCS screening of 3 661 circulated stolen/ robbed vehicles.	Reacted to 100% crime-related hits, as a result of MCS/EMCS screening of 2 895 circulated stolen/ robbed vehicles.	100%	Reacted to 100% crime-related hits, as a result of MCS/EMCS screening of 2 204 stolen/ robbed vehicles.	-	Target achieved.
	Percentage of profiled vehicles/containers and cargo consignment searched for illicit drugs, firearms, stolen/robbed vehicles, consignment, smuggled persons and counterfeit goods/contraband							
	Vehicles	100% (8 787)	100% (10 587)	100% (8 436)	100%	100% (7 441)	-	Target achieved.
	Containers	100% (7 810)	100% (7 317)	100% (6 252)	100%	100% (6 640)	-	Target achieved.
	Cargo	100% (8 635)	100% (3 521)	100% (4 920)	100%	100% (4 041)	-	Target achieved.

ANNEXURE IP17 564

Objective statement	Performance indicator	Actual achievement 2016/2017	Actual achievement 2017/2018	Actual achievement 2018/2019	Planned target 2019/2020	Actual achievement 2019/2020	Deviation from planned target to actual achievement 2019/2020	Comment on deviation
Subprogramme: Specialised Interventions								
Police incidents of a security nature which require specialised intervention	Percentage of medium to high-risk incidents responded to, in relation to requests received by the following units:							
	National Intervention Units	100% (2 204) incidents stabilised.	100% (2 407) incidents responded to.	100% (1 920) incidents responded to.	100%	100% (977) incidents responded to.	-	Target achieved.
	Special Task Force	100% (216) incidents stabilised.	100% (222) incidents responded to.	100% (174) incidents responded to.	100%	100% (225) incidents responded to.	-	Target achieved.
Police or stabilise incidents of public disorder and crowd management	Percentage of peaceful crowd management incidents policed	100% (10 978) incidents stabilised.	100% (10 853) incidents policed.	100% (11 431) incidents policed.	100%	100% (8 608) incidents policed.	-	Target achieved.
	Percentage of unrest crowd management incidents stabilised	100% (3 715) incidents stabilised.	100% (3 540) incidents stabilised.	100% (4 526) incidents stabilised.	100%	100% (3 636) incidents stabilised.	-	Target achieved.

SERVICE DELIVERY ACHIEVEMENTS

VISIBLE POLICING

- Provides direction on the effective prevention and combating of crime, through the provisioning of a visible policing service.
- Provides a proactive and responsive policing service, striving towards the reduction of crime levels and to instil community confidence in the SAPS.
- Deals with the strategic, tactical and operational approach in policing, to address the incidence of crime, aimed to reduce and combat crime, improve the SAPS' response time, enhance community mobilisation and partnerships, encourage victim empowerment programmes, address the proliferation of firearms, address incidents of unlawful possession of and dealing in drugs, as well as the closure of markets for stolen goods.

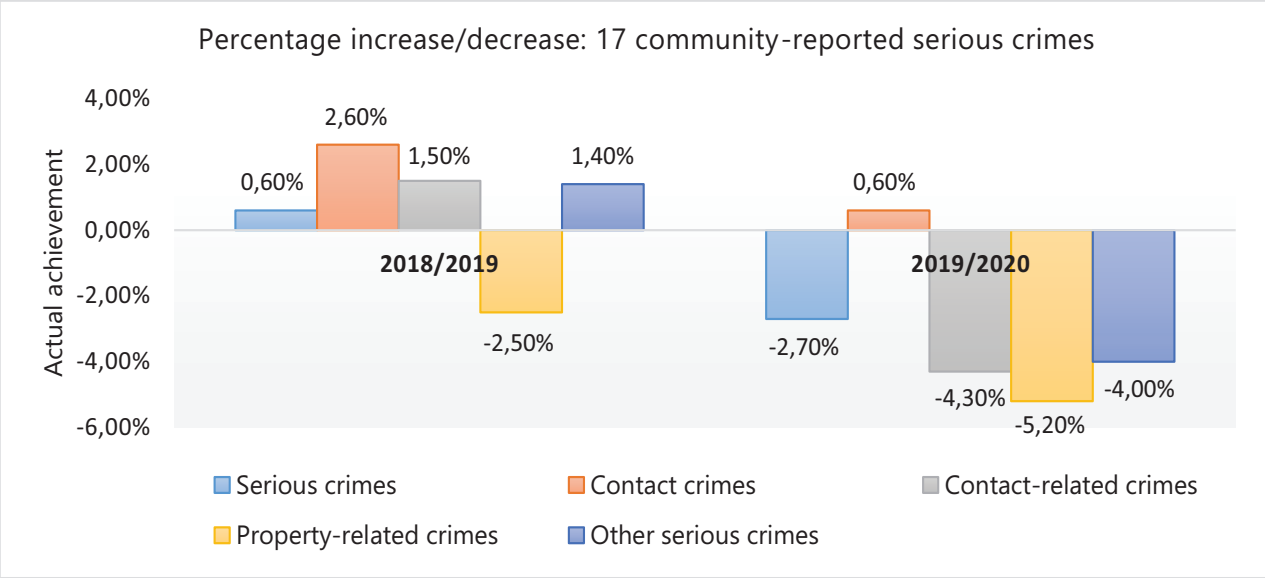
SUBPROGRAMME: CRIME PREVENTION

CONTRIBUTE TO THE REDUCTION OF SERIOUS CRIME

Continued efforts are made to address serious crime and the need for the protection of vulnerable sectors of society. The NDP, 2030 and the MTSF (2019-2024) prioritises the improvement of feelings of safety and security in communities, improved police visibility, the reduction of violent crime and violent crime against women and children.

In the June 2019 SONA, the President laid down the key priorities of Government, linked to the strategic direction of the country, as reflected in the NDP, 2030 and the MTSF (2019-2024). The President was clear in his expectation of the various clusters of Government and the departments that comprise these clusters. The requirement that was directed towards the JCPS Cluster and to the SAPS, in particular, is that violent crime must be halved, within a decade. This necessitated that the SAPS revise certain targets in its 2019/2020 APP, to appropriately respond to the SONA and the MTSF (2019-2024). The revised targets, in respect of crime performance indicators are reflected in an Addendum to the 2019/2020 APP. The President's call for a 50% reduction in violent crime in a decade, is directly associated with the need for improved feelings of safety in communities, which is an outcome that has been prioritised in the MTSF (2019-2024). Outputs, in this regard, focused on the reduction of levels of serious crime, including contact crime, targeting 30 identified high crime weight police station precincts with the highest reported incidence of serious and contact crime, which is reviewed annually, over the short and medium-term, as well as increasing recoveries of illegal firearms, illicit drugs and stolen and robbed vehicles, due to their association with violent crime. As directed by the SONA, specific emphasis was placed on increased patrols, targeting identified crime hotspots. Crime prevention and disruptive operations were also initiated, to ensure high visibility and crime deterrence, including Operation Fiela II, Safer Season and Operation Basadi.

Serious crimes include contact crimes, contact-related crimes, property-related crimes and other serious crimes (theft, shoplifting and fraud). The SAPS uses enhanced police visibility and targeted crime prevention operations to deter and detect prevailing threats, within a particular policing precinct, either at police station, cluster/district or provincial levels.



The number of reported serious crimes reduced, by 2,7%, from 1 681 328 reported serious crimes, in 2018/2019, to 1 635 896, in 2019/2020, against a set target of a 3,73% reduction. Contact crimes increased, by 0,6%, from 618 472 to 622 206, against a set target of a 6,7% reduction, contact-related crimes reduced, by 4,3%, from 117 814 to 112 765, property-related crimes reduced, by 5,2%, from 498 198 to 472 158 and other serious crimes reduced, by 4,00%, from 446 844 to 428 767. The set target for contact-related crimes, property-related crimes and other serious crimes was to reduce, by 2%.

Most contact crimes are committed indoors between people who know each other, thus making it difficult to prevent. Liquor and substance abuse and environmental design factors also play a key role in the commission of these crimes. A total number of 1 133 891 arrests were made for serious crimes, including 310 068 arrests for contact crimes, 43 141 for contact-related crimes, 183 636 for property-related crimes and 23 024 for other serious crimes. A total of 265 915 arrests were affected for crimes dependent on police action for detection.

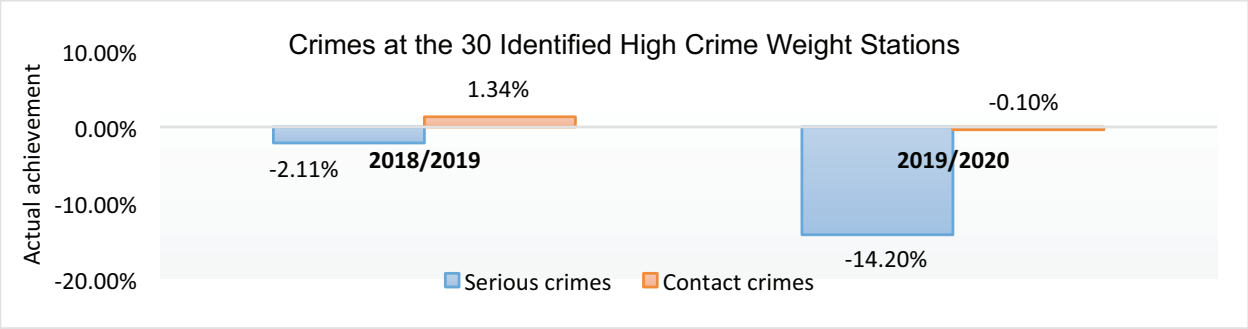
17 community-reported serious crimes, 2019/2020[33]

Crime category	2018/2019	2019/2020	Case difference	% change
Contact crimes (crimes against the person)				
Murder	21 036	21 341	305	1,4%
Sexual offences	53 063	53 776	713	1,3%
Attempted murder	19 025	18 661	-364	-1,9%
Assault GBH	171 153	166 828	-4 325	-2,5%
Common assault	162 235	165 643	3 408	2,1%
Common robbery	51 846	51 879	33	0,1%
Robbery with aggravating circumstances	140 114	144 078	3 964	2,8%
Total	**618 472**	**622 206**	**3 734**	**0,6%**

Crime category	2018/2019	2019/2020	Case difference	% change
Total sexual offences				
Rape	42 091	42 664	573	1,4%
Sexual assault	7 557	7 833	276	3,7%
Attempted sexual offences	2 146	2 088	-58	-2,7%
Contact sexual offences	1 269	1 191	-78	-6,1%
Total	**53 063**	**53 776**	**713**	**1,3%**
Some subcategories of aggravated robbery				
Carjacking	16 063	18 197	2 134	13,3%
Robbery at residential premises	22 451	21 142	-1 309	-5,8%
Robbery at non-residential premises	20 002	20 661	659	3,3%
Bank robbery	4	0	-4	-100,0%
Robbery of CIT	183	164	-19	-10,4%
Truck hijacking	1 182	1 204	22	1,9%
Contact-related crimes				
Arson	4 159	3 852	-307	-7,4%
Malicious damage to property	113 655	108 913	-4 742	-4,2%
Total	**117 814**	**112 765**	**-5 049**	**-4,3%**
Property-related crimes				
Burglary at non-residential premises	71 251	69 729	-1 522	-2,1%
Burglary at residential premises	221 058	206 104	-14 954	-6,8%
Theft of motor vehicle and motorcycle	48 437	47 023	-1 414	-2,9%
Theft out off or from motor vehicle	125 171	118 321	-6 850	-5,5%
Stock theft	32 281	30 981	-1 300	-4,0%
Total	**498 198**	**472 158**	**-26 040**	**-5,2%**
Other serious crimes				
All theft not mentioned elsewhere	302 027	284 131	-17 896	-5,9%
Commercial crime	84 646	84 752	106	0,1%
Shoplifting	60 171	59 884	-287	-0,5%
Total	**446 844**	**428 767**	**-18 077**	**-4,0%**
Total 17 community-reported serious crimes	**1 681 328**	**1 635 896**	**-45 432**	**-2,7%**

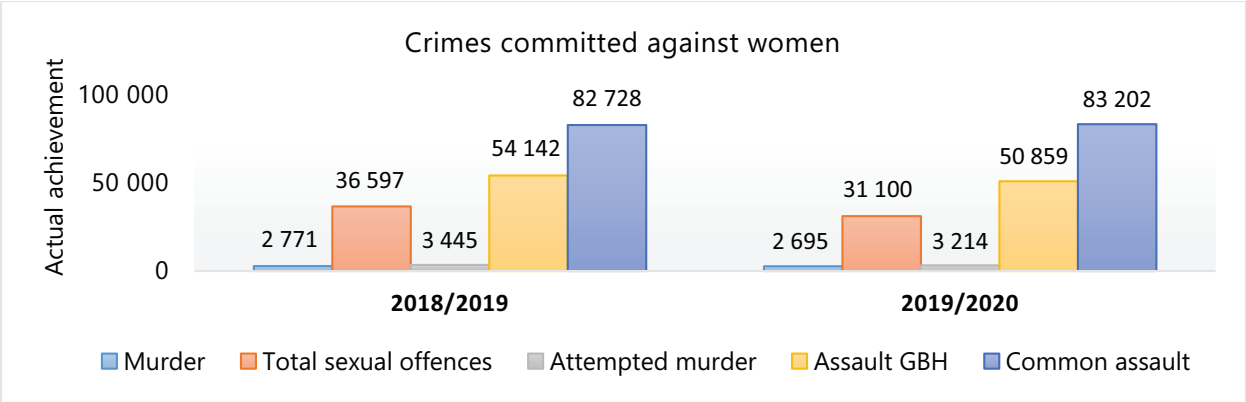
The SAPS has identified 30 police stations, in 2019/2020, in the Gauteng, the Western Cape, KwaZulu-Natal, Mpumalanga and the Free State Provinces, referred to as the "high crime weight stations", for focused attention over the short and medium-term, which will translate into the implementation of specific proactive and reactive interventions, on an annual basis. The intention is to monitor the application of these interventions, which relate to core policing functions, including the prevention and investigation of crime. The supposition underlying the identification of these stations is that, through the implementation of the aforementioned interventions, the reported incidence of the 17 community-reported serious crimes, will be sustainably reduced. The high crime weight stations are associated with, but very distinct in nature from, hotspot areas, which may emerge during the course of a year, depending on a range of factors that contribute to substantially elevated levels of socio-economic disruption and crime and dramatically reduced perceptions of safety and security. The addressing of these hotspots requires a unique policing methodology, which includes two fundamental approaches, namely; the stabilisation approach and the normalisation approach. The purpose of stabilisation is to mobilise specialised, mobile policing capabilities, such as Public Order Police, Tactical Response Teams (TRT) and National Intervention Units (NIU), to rapidly address the factors contributing to destabilisation, so as to restore the rule of law. Normalisation

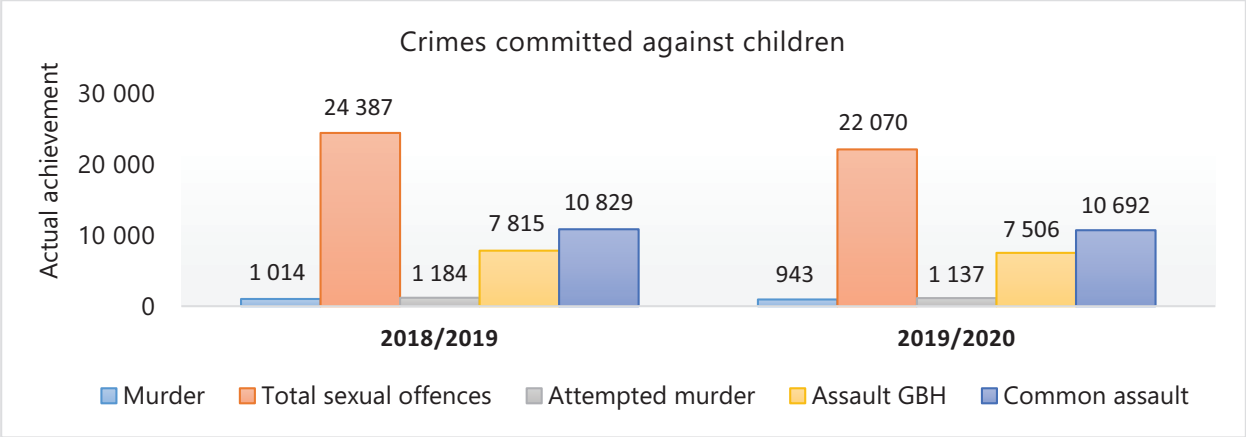
interventions are characterised by a community and stakeholder-centred approach to policing, to ensure a holistic, multifaceted response, which is sustainable, going forward. These operational approaches were informed by the SAPS Turnaround Vision, which identifies six critical focus areas, amongst others, stamping the authority of the state and community centred-policing.



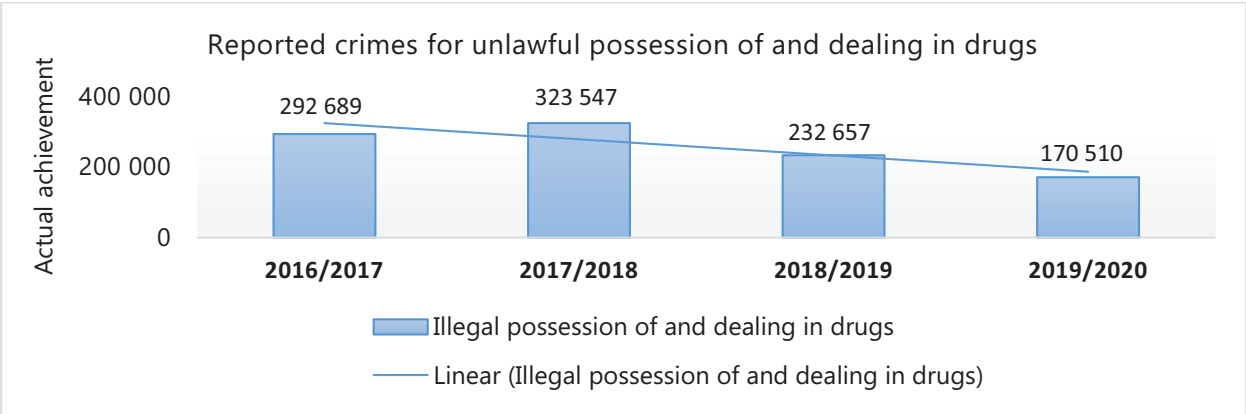
The following police stations were identified as the top 30 high crime weight stations: Gauteng (Johannesburg Central, Hillbrow, Dobsonville, Ivory Park, Kagiso, Honeydew, Temba, Alexandra, Pretoria Central, Moroka, Mamelodi East, Jeppe, Tembisa, Randfontein, Eldorado Park and Rietgat); Western Cape (Nyanga, Mitchells Plain, Khayelitsha, Delft, Kraaifontein, Mfuleni and Harare); KwaZulu-Natal (Umlazi, Inanda, Plessislaer, Durban Central and Empangeni); Mpumalanga (Witbank); and Free State (Park Road). The number of reported serious crime at the identified high crime weight stations reduced, by 14,20%, from 237 787, in 2018/2019, to 204 109, in 2019/2020, against a set target of 3,73%. Reported contact crimes at these police stations reduced, by 0,10%, from 94 131 to 94 230.

Crimes against women and children remains a concern, despite various initiatives by Government, the Department and other relevant stakeholders, to curb this scourge. Crimes against women indicated a 4,8% decrease, from 179 683, in 2018/2019 to 171 070, in 2019/2020. Murder charges decreased by 2,7%, sexual offences by 15,0%, attempted murder by 6,7% and assault GBH by 6,1%. However, assault common increased by 0,6%. A reduction of 6,4% was recorded for crimes against children, from 45 229, in 2018/2019 to 42 348, in 2019/2020. Murder charges decreased, by 7,0%, sexual offences, by 9,5%, attempted murder, by 4,0%, assault GBH, by 4,0% and common assault, by 1,3%.





Crimes for the unlawful possession and dealing in drugs decreased, by 26,71%, from 232 657, in 2018/2019 to 170 510, in 2019/2020. In terms of the confiscation of illicit drugs, a total of 159 234,402 kg cannabis, 920 659.75 Mandrax tablets, 638,288 kg Crystal Meth (Tik-Tik), 192,466 kg cocaine and 313,697 kg heroin was confiscated. Various targeted operations were conducted, with the support of Operational Command Centres (OCC) at hotspot police stations. However, the lack of intelligence and tip-offs from communities led to less drugs confiscated, compared to the previous financial year. A total number of 158 621 arrests were made for drug-related crime, including offences under the Drugs and Drug Trafficking Act, 1992 (Act No 40 of 1992) and the Medicines and related Substances Amendment Act, 1965 (Act No 101 of 1965).



Rapid Rail Police Units covers about 33 000 km rail lines, nationally. During 2019/2020, a total number of 15 416 crimes were reported in the rail environment, of which 10 660 were for the 17 community-reported serious crimes, 722 were crimes dependent on police action for detection and 4 034 were for less serious crimes. In terms of the 17 community-reported serious crimes, 2 044 were contact crimes, 469 contact-related crimes, 444 property-related crimes and 7 703 were other serious crimes. Overall, crimes reported in the rail environment reduced, by 8,21%, compared to 2018/2019. Contact crimes reduced, by 7,30%, contact-related crimes, by 23,24%, crimes dependent on police action for detection, by 49,37% and less serious crimes, by 33,05%. Property-related crimes increased, by 27,22% and other serious crimes, by 24,68%. The number of arrests reduced, by 37,64%, from 4 832, in 2018/2019 to 3 013, in 2019/2020.

Reported crime in the rail environment

Province	Contact crimes		Contact-related crimes		Property-related crimes		Other serious crimes		Crimes dependent on police action for detection		Less serious crimes		Total	
	2018/ 2019	2019/ 2020	2018/ 2019	2019/ 2020	2018/ 2019	2019/ 2020	2018/ 2019	2019/ 2020	2018/ 2019	2019/ 2020	2018/ 2019	2019/ 2020	2018/ 2019	2019/ 2020
Gauteng North	332	249	73	131	53	58	850	1 119	281	173	987	614	2 576	2 344
Gauteng South	379	417	165	136	59	98	1 840	2 210	349	162	141	160	2 933	3 183
Limpopo	11	6	2	0	2	7	55	88	2	0	22	2	94	103
North West	10	15	8	9	4	7	132	318	5	3	16	12	175	364
Western Cape	1 196	1 098	182	70	110	94	1 519	1 444	443	289	977	388	4 427	3 383
Northern Cape	24	21	16	21	50	61	124	178	4	1	162	121	380	403
Eastern Cape	48	37	31	22	18	47	133	231	9	3	1 076	1 011	1 315	1 351
Free State	28	13	8	9	6	10	86	94	6	1	24	24	158	151
KwaZulu-Natal	149	167	92	41	29	33	816	1 190	321	89	2 594	1 677	4 001	3 197
Mpumalanga	28	21	34	30	18	29	623	831	6	1	26	25	735	937
Total	**2 205**	**2 044**	**611**	**469**	**349**	**444**	**6 178**	**7 703**	**1 426**	**722**	**6 025**	**4 034**	**16 794**	**15 416**
Increase/decrease	**-7,30%**		**-23,24%**		**27,22%**		**24,68%**		**-49,37%**		**-33,05%**		**-8,21%**	

In support of the SAPS Strategic Plan, the Department implemented multidisciplinary crime fighting operations, such as Operation Fiela Reclaim II and JCPS Economic Stimulus Package and Stabilisation Operations, which is intended to assert the authority of the State, by stabilising identified high crime and hotspot areas. These operations were amalgamated to Operation Safer Season, 2019/2020, aimed at combating serious and violent crime, as well as Operation Safer Festive Season, aimed at ensuring that communities can enjoy a peaceful and safe festive season. High density clampdown policing is the cornerstone of these operations, comprising intelligence-led roadblocks, cordon-and-search operations, vehicle checkpoints, stop-and-search operations, as well as vehicle and foot patrols. These operations also involve confiscating typical crime generators, such as illegal firearms and ammunition, drugs, alcohol and stolen goods. Provinces redirected resources to areas where mostly required, especially at the high crime weight stations and other hotspot areas. Crime Prevention Units are also gradually introduced at police stations, enabling them to function to full capacity.

The policing of community protest actions in most areas around the country, CIT robberies, taxi violence, political killings and gang violence, impacted negatively on police stations, in the planning of crime prevention operations. As a result, priority committees were established at the National Joint Operational and Intelligence Structure (NATJOINTS), the operational arm of the JCPS Cluster, to assist provinces to stabilise these incidents, thereby enabling police stations to focus on day-to-day crime operations. The establishment of teams at all clusters has been initiated, to deal with high crime areas, the escorting of the South African Social Security Agency/South African Post Office pay-outs and the normalisation of crime in the area.

A total number of 32 769 roadblocks were conducted, countrywide, in 2019/2020, compared to 31 593, in 2018/2019. The significant increase in the number of roadblocks can be attributed to the adherence to directives, issued by the NATJOINTS, to all provinces. There was also a notable increase in the number of vehicle and premises searches, as well as shopping complex (malls and shopping centres) visits, indicating compliance to basic policing principles.

Police actions		
Action	**Number of actions 2018/2019**	**Number of actions 2019/2020**
Roadblocks	31 593	32 769
Cordon-and-searches	4 595	2 783
Air support operations	209	141
Vehicle searches	5 714 246	6 289 939
Premises searches	951 675	1 069 160
Stop-and-searches	3 838 040	3 802 393
Person searches	18 186 486	1 512 045
Shopping complex visits	1 883 575	5 736 264
Spaza shop visits	4 201 016	4 519 733
ATM visits	5 517 841	5 736 246
Farm visits	1 047 217	1 088 033
Firearms checked	50 882	26 107
School visits (include patrols, attending to complaints, searches for drugs and weapons, attending meetings on school safety and other crime prevention initiatives)	2 143 543	2 287 184
Hostage and suicide incidents attended to	624	651

The circulation of reported stolen/lost and found illegal firearms plays a key role in the investigation and the detection of firearm-related crimes and ultimately, the efficient control of firearms, ensures an updated central firearm database, as required by the Firearms Control Act, 2000 (Act No 60 of 2000). In 2019/2020, a total number of 4 204 firearms owned by individuals, dealers and institutions were circulated as recovered, including 2 277 firearms recovered/found/confiscated and forfeited to the State. Firearms without serial numbers are issued with a Firearm Identification Number and are earmarked for destruction. The target of 5 404 was not achieved, due to the non-circulation of firearms without serial numbers and the late circulation of firearms. A national instruction was approved, aimed to streamline and standardise practices involved in the processing of stolen/lost and found firearms, as well as to provide guidance on the circulation of firearms.

The National Commissioner gazetted two firearm destructions, which took place, on 17 April 2019 and 5 November 2019, during which a total number of 53 202 firearms were destroyed, in terms of Section 136(1) of the Firearms Control Act, 2000.

Furthermore, the details of 8 007 firearms were circulated as stolen/lost, during the same period. A total number of 459 SAPS-owned firearms were also circulated as recovered and 673 firearms were circulated as stolen/lost. In terms of Section 9(2) of the Firearms Control Act, 2000, Parliament approved a firearm amnesty period, on 24 November 2019, for the period 1 December 2019 to 31 May 2020. The approval of the amnesty followed the Minister of Police's proposal, in terms of Section 139 of the Act. Subsequent to the approval by Parliament, the Ministry of Police declared an amnesty, in Government Gazette No 42852, dated 27 November 2019. An amendment of Notice 42911, dated 13 December 2019, was gazetted, to include a list of 46 police stations that were excluded from receiving amnesty firearms. A total of 14 099 firearms, 336 firearm components and 118 410 rounds of ammunition were surrendered, from 1 December 2019 to 31 March 2020. A total number of 18 999 arrests were made, in 2019/2020 for the illegal possession of firearms and ammunition.

From 1 April 2019 to 31 March 2020, a total number of 65 702 vehicles were reported stolen/robbed. In the same period, 36 674 vehicles were recovered, against a set target of 36 548, including 31 725 identified and 4 786 unidentified vehicles, as well as 163 vehicles recovered during cross-border operations. Most stolen/robbed vehicles were recovered, in the Gauteng (15 868), KwaZulu-Natal (6 491) and the Western Cape Provinces (6 013).

Liquor abuse is viewed as a contributor to violent, serious and contact crime in South Africa. Therefore, a concerted effort by the SAPS is necessary to enhance enforcement of compliance to national and provincial liquor legislation. To ensure that licensed liquor traders adhere to the provisions of the respective provincial and national liquor legislation, a total number of 668 196 compliance inspections were conducted at liquor retailer's and micro-manufactures and 6 060 compliance inspections were conducted at macro-manufactures and distributors of liquor, from 1 April 2019 to 31 March 2020. To address the reduction in contact-related crimes and the termination of illegal trade by unlicensed liquor outlets, a total number of 42 414 illegal liquor outlets were closed. This resulted in the confiscation of a total volume of 1 808 267 litres of liquor (30 375 litres home brew and 1 777 892 litres liquor). The SAPS planned targeted and conducted joint interdepartmental liquor compliance inspections in the Free State, Gauteng, the Eastern Cape, Limpopo, KwaZulu-Natal, Mpumalanga and the Northern Cape Provinces, in conjunction with the Department of Trade and Industry (DTI) (National Liquor Authority) and respective Provincial Liquor Boards/authorities, in order to enforce compliance to national and provincial liquor legislation. During the execution of compliance inspections, a total number of 693 liquor premises were inspected (214 national premises and 479 provincial premises), 21 compliance notices were issued

(non-compliance to the National Liquor Act, 2003 (Act No 59 of 2003), 61 (J534) fines were issued, valued at R75 100.00 and 28 illegal liquor outlets were closed with a total volume of 18 345.92 litres of liquor confiscated. Furthermore, joint interdepartmental liquor compliance operations were conducted, in the Sunnyside Police Precinct, to address the illegal sale/distribution of liquor by duty free liquor retailers. In order to address liquor abuse, as a contributor to contact crimes and serious and violent crimes, National Crime Combating Forum (NCCF) Instruction 2 of 2019 was issued, to address the policing of the legal and illegal liquor trade. All provinces were instructed to plan and execute joint liquor control operations, to ensure compliance by liquor traders with the provisions of national and provincial liquor legislation, focusing on licensed liquor premises and illegal liquor outlets in close proximity of schools, specifically. This focused operational approach ensured the termination of illegal liquor trade at 2 279 unlicensed liquor outlets, which were located in close proximity of schools. A good practice was identified, in the Northern Cape Province, to address liquor as a contributor of contact and contact-related crimes. The good practice was based on enhancing collaboration between the SAPS, the Northern Cape Provincial Liquor Board and licensed liquor traders/outlets in a police station area. The good practice was shared for roll-out and implementation by Designated Liquor Officers (DLOs) at police station level, in cooperation with the Provincial Liquor Boards/Authorities and identified liquor traders, in all provinces. An implementation toolkit was developed and distributed to all provinces to support the roll-out in an effort to enhance collaboration between the SAPS, Provincial Liquor Boards and licensed liquor traders. Broadly the good practice entailed the following:

- Analysis of all contact crimes that were committed in close proximity of a licensed liquor premises.
- Enhancing collaboration with the Provincial Liquor Board, to improve enforcement of compliance by licensed liquor traders/premises.
- Engaging licensed liquor traders/premises to sign a pledge to comply to liquor legislation, specifically trading hours and serving liquor to minors and intoxicated persons.
- Monitoring compliance to liquor legislation.
- Establishing the impact of compliance, as a result of the enhanced collaboration.
- Recognising compliance by licensed liquor traders/premises.

Procedural manuals were compiled for DLOs, in the Gauteng, KwaZulu-Natal and the Western Cape Provinces, in cooperation with the respective Provincial Liquor Authorities, aimed to enhance the knowledge and skills of DLOs, thereby, ensuring an evident and harmonised policing approach when implementing the provisions of the Gauteng Liquor Act, 2003 (Act No 2 of 2003), the KwaZulu-Natal Liquor Licensing Act, 2010 (Act No 6 of 2010) and the Western Cape Liquor Act, 2008 (Act No 4 of 2008).

A total number of 84 207 arrests were made for driving under the influence of alcohol and drugs.

Illegal gambling

A National Stakeholder Priority Committee was established to address illegal gambling activities, in South Africa and meet on a quarterly basis. The following was achieved by the Committee, in 2019/2020:

- An approved Response Plan (2019/2024), to address illegal gambling.
- An approved SOP, to address illegal gambling communicated to provinces for implementation.
- Four National Stakeholder Priority Committee meetings.
- Eight provincial information sharing sessions, focusing on measures to address illegal gambling activities.
- An operation was launched, in the Gauteng Province, focusing on the legal principles to close down internet cafes/ lounges fronting as illegal gambling premises.
- Issuing of NATJOINTS Instruction 24 of 2019, to direct the establishment of Provincial Stakeholder Priority Committees to address illegal gambling.
- Issuing of NCCF Instruction 1 of 2020, to address the implementation of measures to combat illegal gambling, in support of the operational pillars of the JCPS Cluster.

The main objectives of the Second-Hand Goods Act, 2009 (Act No 6 of 2009) are to regulate the business of dealing in second-hand goods and pawn brokering, to combat the illegal trade in stolen goods and to promote ethical standards in the second-hand goods environment that is accomplished, due to the effective administration of the registration of second-hand goods dealers and the conducting of compliance inspections at registered second-hand goods dealers premises, as well as accredited second-hand goods dealers' associations.

The number of registered second-hand goods dealers increased, since the implementation of the Second-Hand Goods Act, 2009. The total registered second-hand goods dealers varies, annually, due to the registration of new dealers and the closure of existing registered dealers. A total number of 23 473 registered second-hand goods dealers were recorded, on 31 March 2020, compared to 20 490, on 31 March 2019.

In order to advance the knowledge and skills of police officers in the second-hand goods environment, various internal messages relating to the Second-Hand Goods Act, 2009, as well as the Criminal Matters Amendment Act, 2015 (Act No 18 of 2015) were developed and circulated. In addition, provincial capacity building sessions were presented to 288 members, in eight provinces, in order to further enhance the knowledge and skills of members regarding the above mentioned legislation and to enhance the practical execution of the mentioned legislation.

In light of the fact that the second-hand goods environment is seen as a potential off-set market for stolen goods, e.g. cellular telephones, non-ferrous metals (copper cable) and essential infrastructure-related commodities, such as cellular telephone tower batteries, hotspots are identified and communicated to all provinces on a quarterly basis, in order to assist provinces with effective planning to combat these types of crimes.

A Compliance Inspection Toolkit was developed and implemented to guide Designated Second-Hand Goods Officers (DSOs) within the second-hand goods environment in the proper execution of their functions. The main purpose of the Toolkit is to establish a standardised approach and provide guidance when conducting compliance assessments at provincial and police station DSO Offices and inspections at registered second-hand goods dealers.

Eight compliance assessments were conducted at provincial second-hand goods offices, 29 assessments at identified police station second-hand goods offices and 372 compliance inspections at identified registered second-hand goods dealers and recyclers, in order to determine the level of compliance, in terms of the Second-Hand Goods Act, 2009. Furthermore, 137 165 compliance inspections were conducted at provincial and police station level, during day-to-day activities at registered second-hand goods dealers, resulting in 280 arrests, the registration of 68 case dockets, the issuing of 871 (J534) fines, the closure of 142 premises and the confiscation of 39 926 kg copper, 2 720 kg aluminium, 90 810 kg copper cable, 86 kg brass and 30 kg zinc.

In an effort to effectively regulate the business of dealing in second-hand goods, as well as to combat the trade in stolen goods, a threat assessment was conducted, in order to direct an intelligence-led approach in conducting operations and compliance inspections at non-compliant, problematic and unregistered second-hand goods dealers. Furthermore, crime prevention and disruptive operations, such as roadblocks and stop-and-searches were conducted, in order to curb the occurrence of non-ferrous metal theft, essential infrastructure-related offences, as well as cellular telephone theft in identified hotspots, as well as enforcing compliance, in terms of the Second-Hand Goods Act, 2009, with the primary focus on compliance inspections at scrap metal dealers, recyclers and communication equipment dealers, within identified hotspot station areas.

Forums/Committees

Biannual **National Second-Hand Goods Dealers' Forum** meetings are hosted comprising representatives from the SAPS, as well as the second-hand goods industry, to promote and establish ethical standards and to enhance cooperation and communication between the SAPS and the second-hand goods industry. A Second-Hand Goods Dealers' Forum Terms of Reference was jointly developed and ratified by all stakeholders, which aims to guide the functioning of Second-Hand Goods Dealers' Forums at national, provincial and police station level, to ensure a standardised approach and understanding of the roles and responsibilities of the respective stakeholders. The majority of police stations where second-hand goods dealers are registered, established Second-Hand Goods Dealers' Forums to address property-related crimes through mutual information sharing.

The scourge of non-ferrous metal and essential infrastructure-related crimes has raised concerns, nationally and internationally, as it impacts on sustainable economic security and growth and society at large, to name a few. This necessitated the establishment of a structure that will coordinate and vigorously address these crimes. The **National Non-ferrous Metals Crime Combating Committee Forum** (NFMCCC) is entrusted to focus and coordinate integrated intelligence driven crime combating operations for the prevention and combating of non-ferrous metal and essential infrastructure-related crimes. The NFMCCC is also responsible to raise awareness and drive communication initiatives to address these crimes. This approach strengthens key services, such as transport, energy, telecommunication, water and sanitation services, to ensure long-term sustainability. The NFMCCC is a national and provincial structure and supports the NDP, 2030 in that it strives towards a more efficient and competitive infrastructure to grow the economy and create employment opportunities to alleviate poverty and unemployment. The NFMCCC comprises, *inter alia*, representatives from government departments and organisations, such as the SAPS, the NPA, the Department of Justice and Constitutional Development (DOJ&CD), the South African Revenue Services (SARS), the International Trade Administration Commission, the National Intelligence Coordinating Committee (NICOC), state-owned entities (Transnet, Passenger Rail Agency of South Africa (PRASA), Eskom and Telkom), City Power, Metropolitan Police Departments, cellular telephone service providers and Business Against Crime South Africa (BACSA). A Turnaround Plan was compiled to improve the functioning of the NFMCCC and the implementation of its mandate, namely; to address and combat non-ferrous metals and essential infrastructure-related crimes in police station, rail and border environments, in partnership with all stakeholders within their respective mandates, in a coordinated, integrated and multidisciplinary manner.

In 2019/2020, a total number of 32 569 non-ferrous metal-related crimes were recorded, compared to 35 441, in 2018/2019, a decrease of 8,10%. During the same period, 8 011 essential infrastructure-related crimes, in terms of the Criminal Matters Amendment Act, 2015 were recorded, compared to 13 628, in 2018/2019, which represents a decrease of 41,22%. The decrease can be attributed to joint and intensified initiatives by all industry stakeholders represented at the NFMCCC.

The **Crime Intelligence Subcommittee**, which forms part of the NFMCCC Structure, was revived, as a result of the Turnaround Plan. The NICOC is responsible for the administration of the subcommittee, which comprises, *inter alia*, the DPCI, the Crime Intelligence, Detective Service and Visible Policing Divisions, including Firearms, Liquor and Second-Hand Goods Services (FLASH), the State Security Agency, SARS and Transnet.

The **Legislative Subcommittee of the NFMCCC** was also revived and functions under the auspices of the DOJ&CD. The Subcommittee oversee, coordinate and monitors legislative reforms that are required, in respect of metal theft and illicit mining. However, the relevant departments are still responsible for the consideration and promotion of the proposed legislative requirements, which falls within their respective areas of responsibility. The Legislative Subcommittee is responsible for the extension of powers of peace officers to law enforcement officers appointed by the municipalities, under Section 334 of the Criminal Procedure Act, 1977 (Act No 51 of 1977), which was Gazetted, on 19 October 2019.

A case docket analysis of cases registered, in terms of the Criminal Matters Amendment Act, 2015 was conducted by the SAPS Crime Registrar, in order to, *inter alia*, determine the spread and the consequences of theft of non-ferrous metals, determine the financial impact and method used for theft of non-ferrous metals and determine the offenders, as well as convictions.

A total of 680 persons escaped from police custody, during 2019/2020, against a set target of 769, compared to 656 persons, during 2018/2019, an increase of 24 more escapees than the previous year. The SAPS re-arrested 437 or 64,26% escapees, of which 178 or 26,18% escapees were arrested, within 24 hours after the incident. The most escapees escaped from Gauteng (152), KwaZulu-Natal (105), Limpopo (97) and the Western Cape (85) Provinces from the police station holding cells (212), Community Service Centres (83) and police station loading zones (79).

The total of 22 SAPS **10111 Command Centres** received 10 966 851 calls, in 2019/2020, compared to 23 233 385, in 2018/2019, a decrease of 52,80% in the number of calls received, compared to 2018/2019. Approximately 4 060 273 or 37,02% of the 10 966 851 calls were registered as police-related emergency calls, compared to 4 257 157 or 18,32%, in 2018/2019. There was a decrease of 63,60% in calls not related to the SAPS from 18 976 228, in 2018/2019 to 6 906 578, in 2019/2020. Calls not related to SAPS emergencies are classified as hoax, prank, nuisance and abusive, not-police-related emergency enquiries, e.g. fire and ambulance and general enquiries or matters relating to service information to the public. The large number of calls received that were not related to SAPS emergencies, places a heavy burden on personnel at command centres, to render an effective service, as every call received is considered an emergency, unless otherwise determined. Non-police-related emergency calls have an impact on the prioritisation of legitimate emergency calls and hampers service delivery.

Flying Squad Units are currently used as a force multiplier, in support of police stations and other units. The Flying Squad has been mandated to ensure an effective response to priority or serious and violent crimes in progress, which require immediate response and police assistance and less serious crimes/complaints, if no other response vehicle is available. There are currently 30 Flying Squad Units, countrywide. During 2019/2020, Flying Squad Units attended to 75 710 complaints, secured 22 955 arrests, conducted 2 892 700 searches of vehicles and persons, conducted 107 211 patrols, 35 757 Vehicle Check Points (VCPs) and 2 960 roadblocks. These actions resulted in the recovery of 854 illegal firearms, 5 906 stolen/robbed vehicles and drugs, valued at R21 533 439.00.

Hostage negotiators have been involved in hostage and related crisis incidents, such as hostage, barricade and kidnapping incidents, as well as dealing with suicidal or mentally disturbed persons, nationally and internationally. The SAPS currently has 264 active negotiators. During 2019/2020, hostage negotiators attended to 651 incidents, compared to 624, in 2018/2019. Approximately 49% of the incidents were related to hostage takings, while 31% were related to suicide. Hostage negotiators spent approximately 14 040 working hours on hostage negotiations, in 2019/2020, which is approximately 4 000 more hours than in the previous year (10 601). Exercises focusing on multi-role player cooperation and collaboration were conducted, in the Mpumalanga, Gauteng, KwaZulu-Natal and the Western Cape Provinces. Visits and inspections were also conducted, in all provinces, to ensure that this secondary function is effectively provided. The implementation of National Instruction 11 of 2015: Hostage and Related Crisis Negotiation in the SAPS, as well as management guidelines contributed to the rendering of an effective and equitable service in the field of hostage negotiations.

Water Policing and Diving Services are rendered as a secondary service and are mobilised where necessary. This service includes the recovery of the bodies of drowned victims, exhibits submerged in water, hazardous liquid or substance and ensures adherence to water safety regulations. Water Policing and Diving Services members also participate in policing operations relating to organised water sports or recreational events. The SAPS currently has 143 active divers and 88 vessel handlers. During the period under review, police divers conducted 1 458 dive-related operations, which is 217 more than the previous year. More than 14 593 hours were spent on these operations, during which 917 bodies of drowned victims were recovered. A number of 572 bodies were recovered from usually inaccessible locations and a further 2 253 persons were rescued. More than 10 219 hours were also spent on crime prevention.

Disaster Management is rendered as a secondary service and are mobilised where necessary. The SAPS was represented at four National Disaster Management Forum meetings and three meetings at the South African Maritime and Aeronautical Search-and-Rescue Organisation. The SAPS also participated in the Incident Management Organisation, established to attend to oil spill contingency planning and contributed to the SOPs related to this environment. Coordinators assisted in the deployment of SAPS members where support was required in major incidents, such as floods, veld fires and aircrafts in distress. All provinces were visited for inspection and all members assigned to the environment were trained in Disaster Risk Reduction. The Disaster Management Learning Programme was finalised. Evacuation exercises were attended to, in the Mpumalanga, Gauteng, KwaZulu-Natal and Western Cape Provinces. Members were also involved in the monitoring, planning and management of the COVID-19 pandemic, since January 2020 and will continue to provide services where required, until the pandemic is effectively dealt with.

The SAPS has dedicated **Accident Combating Units** and teams functioning within the various provinces. Members attached to these teams/units have been specifically trained to ensure that emergency responses are provided to serious and high profile road accidents, including on scene investigation and the recording and collection of evidence. Members assigned to these units/teams also conduct re-construction of road accidents, on request from investigating officers and courts and are highly skilled to conduct mechanical investigations of vehicles involved in these accidents, where there were, e.g. five or more fatalities in a single accident, spilling of dangerous material resulting in a fatality and where the Road Traffic Management Corporation has declared a road accident as a high profile accident. A total number of 9 873 fatal road accidents were attended to, in 2019/2020, compared to 12 740, in 2018/2019. The SAPS presented two Road Crime Crash: First Responder Train-the-Trainer Courses, during which 34 members were declared competent and coordinated two Road Crime Crash Investigation Courses, during which 20 members were declared competent. Provincial Accident Combating Coordinators are appointed to facilitate and coordinate responses to road accidents and participate in Road Incident Management Systems.

There are currently 20 **Visible Policing Mounted Units**, countrywide, with 255 active mounted riders and 218 active police horses. Mounted units are utilised for high visibility crime prevention patrols in identified areas, including in rural areas, in support of the Rural Safety Strategy, during national elections, at taxi ranks, during crime combating and crime prevention operations, at organised roadblocks, during search-and-rescue operations, to locate lost and drowned persons, assisting with stock theft crime prevention and recovery operations, as well as deployments at major events, to manage crowds. Mounted units also conduct high visibility patrols during peak holiday seasons at beaches, recreational areas and at dams. Wakkerstroom Mounted Unit, in the Mpumalanga Province is in a process of being capacitated. The horses from this Unit were transferred to the Middelburg Mounted Unit, in the same Province and the premises and facilities are utilised during crime combating operations, by the Middelburg Mounted Unit. Barkley East Mounted Unit, in the Eastern Cape Province has been capacitated with mounted riders, horses, equipment and vehicles and is fully functional. A national work study investigation will be conducted for the establishment of additional mounted units in rural environments and the capacitation of units that are already functional in rural areas. The Mounted Service was involved in the procession during the SONA, in February and June 2019 and the annual State of the Province Address, in all nine provinces. Furthermore, the Mounted Service took part in the Presidential Inauguration, from 20 to 26 May 2019. Patrols were done at the outer parameters and other riders assisted with access control, at the Loftus Versfeld Stadium, in the Gauteng Province. Approximately 114 312 horse hours were spent on horseback. Mounted units participated in a total number of 77 987 searches, recovered 40 vehicles, 24 firearms, as well as 645 units of livestock. The Mounted Service is currently participating in research of a new light weight BRV, which will also be suitable for mounted riders. The concept policy document for Community Mounted Patrollers, has been developed and submitted for a legal comment/opinion pertaining to the implementation of the policy in practise. The Eastern Cape Province interacts with the identified environments, to establish relationships with the community and traditional leaders. The Mpumalanga Province commenced with a similar initiative, with the Ka-Hhoyi Mounted Community Patrollers initiative, which must be established in the Province. The launch is planned, for July 2020. The Mounted Services is currently part of the National Priority Committee for Rural Safety and will also assist with the establishment and capacitation of mounted units, in identified rural environments, which commenced with the approval of a feasibility study. National Instruction 1 of 2019: Mounted Service was approved and implemented at all mounted units, from 1 April 2019.

The SAPS has 107 **K9 Units**, nationally, including 91 Visible Policing K9 Units, 10 Protection and Security Services K9 Units, three Presidential Protection Service K9 Units and three Operational Response Services K9 Units. The SAPS K9 Service deployed active K9 handlers and dogs from 11 K9 disciplines (patrol, narcotic, tracker, explosives, search-and-rescue, biological human body fluid, fire investigation, protected species, carcass and hide, currency and sheepdogs). During the period under review, the K9 Service conducted compliance inspections at all 107 K9 Units and the operational standards of 223 K9 handlers and their dogs were assessed. Furthermore, various operational procedures were reviewed and approved for implementation. An additional eight K9 assessors and five K9 moderators were developed, assessed and appointed to maintain national operational standards of K9 handlers and dogs. From 1 April 2019 to 31 March 2020, the K9 Units conducted 659 420 searches, confiscated 2 992 stolen/robbed vehicles and 1 682 illegal firearms, attended to 85 250 complaints and made 40 929 arrests. K9 Units were deployed on a monthly rotational basis in various crime combating operations, such as the Emangusi Presidential Operation, in the KwaZulu-Natal Province, Operation Lockdown, in the Western Cape Province, as well as during identified railway operations during the festive season. The K9 Service is actively involved with deployments at identified ports of entry and is currently deployed, at Emanguzi, in the KwaZulu-Natal Province, as part of a presidential initiative. Resulting from these deployments, 39 stolen vehicles and 19 firearms were recovered and 261 arrests were made for serious and less serious crime incidents. During the safer festive period, the K9 Service was deployed at ports of entry, in the North West and the Free State Provinces. The K9 Units also assisted in various crime prevention operations, high visibility patrols, provided support at organised roadblocks, attended major events, policed national and local elections and swept event centres before high profile delegates attended conferences, meetings and events. Furthermore, they were actively involved with various search-and-rescue operations, including cross-border operations, to assist neighbouring countries, Zimbabwe and Malawi, during the devastating floods caused by tropical cyclones to find and indicate drowned persons. The deployment, in Malawi consisted of an advanced reconnaissance operation, to assess the viability to deploy K9 handlers with search-and-rescue dogs. The implementation of a Turnaround Plan was also approved, to address the shortage of trained dogs for trained K9 handlers without dogs and candidate K9 handlers still to be trained. A National SOP for National Deployment of K9 Handlers and Dogs at Ports of Entry and Crime Combating Operations was revised, in 2019/2020.

The **SAPS Veterinary Services** aims to provide a professional and compassionate animal welfare service, in accordance which relevant legislative framework, as prescribed by the Animal Protection Act, 1962 (Act No 71 of 1962), the Animal Diseases Act, 1984 (Act No 35 of 1984), the Medicines and Related Substance Control Act, 1965 (Act No 101 of 1965) and the Veterinary and Para-Veterinary Professions Act, 1982 (Act No 19 of 1982). To alleviate the challenge on the recruitment of veterinarians and its impact on service delivery, the Department of Agriculture Forestry and Fisheries assigned three compulsory community service veterinarians to serve within the SAPS, for period January to December 2019. During September 2019, an outbreak of Parvo Virus Infection erupted, at the K9 Academy Roodeplaat breeding units, which resulted in a catastrophic loss of vulnerable puppies. The SAPS Veterinary Services, with the assistance and support of the community service veterinarians, the National Society for the Prevention of Cruelty to Animals (NSPCA) and the Tshwane Society for the Prevention of Cruelty to Animals, managed to provide supportive treatment to sick puppies, humane euthanasia of medically compromised puppies and the vaccination of healthy puppies and placed a strict quarantine protocol at the breeding units. The Tshwane NSPCA conducted follow-up inspections to ensure compliance, as prescribed by the Animal Protection Act, 1962 and the Animal Diseases Act, 1984 and were satisfied with the significant drop in morbidity and mortality rates, as well as the effectiveness of interventions implemented to prevent future serious outbreaks.

Animal welfare interventions, during 2019/2020	
Primary health care	
Veterinary inspections at K9 Units	81
Veterinary inspections at mounted units	15
Deworming (dogs and horses)	4 190
Vaccinations (dogs and horses)	3 146
Horses shod	2 522
Secondary health care	
Medical consultations (dogs and horses)	3 480
Surgical consultations (dogs and horses)	245

Secondary health care		
Medical consultations (dogs and horses)		3 480
Surgical consultations (dogs and horses)		245
Dentals (dogs and horses)		413
Tertiary health care (referrals)		
Practice name	**Specialisation**	**Number of animal patients**
University of Pretoria: Onderstepoort Veterinary Academic Hospital	Orthopaedic surgery	5
	Abdominal surgery	19
	Dentistry	1
	Medicine	24
	Skin specialist	4
	Eye specialist	4
Total referrals		**57**

Combined assurance compliance visits were conducted at 30 police stations, in all provinces, to monitor compliance within the Visible Policing environment.

STRENGTHEN THE COMMUNITY-CENTRED APPROACH TO POLICING

Despite the gains that have been made towards the overall reduction in levels of serious crime over the medium-term, public trust and confidence in the SAPS are not at the desired levels, which necessitates a concerted effort by the SAPS to involve the public and relevant stakeholders in the prevention, combating and investigation of crime. The implementation of community policing concepts, such as CPFs and sector crime forums, continues to serve as platforms of engagement between the SAPS and the community, in an effort to encourage a shared responsibility, in matters relating to the prevention of crime and community safety.

The implementation of the Community Policing Strategy and the Community-in-Blue Concept will further enhance community-police partnerships in the fight against crime, through a multidisciplinary collaboration, focusing on public education, building community-resilience to crime and thereby enabling the SAPS to promote cooperation between the Service and the community, to improve and fulfil the service delivery needs of the community and to strengthen partnerships to prevent crime or reduce the fear of crime, by jointly identifying the root causes of crime. During 2019/2020, the SAPS implemented 99,57% or 1 149, from a total of 1 154 functional CPFs, at police stations, against a target of 99%. Boetsap, Kubusiedrift and Mokopong Police Stations are exempted from having a CPF, as they have no community in the policing precinct, only seasonal workers. Qhasa, in the Eastern Cape and Moletlane, in the Limpopo Province, do not have functional CPFs, as they are newly established police stations. The SAPS intensified participative policing, in 2019/2020, by establishing the National Community Police Consultative Forum, where all Provincial Community Policing Forum Chairpersons engage on strategic matters. An action plan was developed, to empower CPFs across the country and development programmes were accredited, in collaboration with the University of the Witwatersrand Business School. The recruitment of community members, as part of the Community in Blue Concept, was also intensified. There are currently approximately 15 702 community patrollers across the country.

A total of 852 of the 875 identified police stations implemented sector policing, at the end of March 2020, aimed to bring policing closer to the communities and to improve response times and 877 of the 883 identified rural and rural/urban mixed police stations implemented the set criteria of the four pillars of the Rural Safety Strategy. Two police stations were incorrectly classified as rural or rural/urban mixed police stations and Rural Safety Coordinators could not be appointed at four police stations, in the Free State Province, due to a shortage of human capacity. As a result, these police stations could not implement the Strategy. The Rural Safety Strategy, 2011 has been reviewed, in 2019/2020 and was launched by the Minister of Police, in Makhado, on 11 October 2019. The reviewed strategy aims to address rural safety as an integrated day-to-day policing approach, by creating a safe and secure rural environment, in support of ensuring a better life for all.

In furthering the SAPS' stated intention of ingraining a community-centred approach to policing, specific attention is paid to the establishment and maintenance of sustainable partnerships with key local, national (including the public and private sectors) and international stakeholders. These partnerships, include international policing organisations, such as the INTERPOL and the SARPCCO, seeking to harness innovative solutions to common challenges impacting on safety, security and economic prosperity, by focusing efforts to align and integrate the application of resources, in addressing crime-related issues that constrain or undermine socio-economic development in the country.

To address violent crimes, Government committed to increase visibility at identified tourist attraction sites and establish a reserve police capacity and to focus on the policing of tourist attraction sites. Multidisciplinary measures are implemented to address tourist safety. To this end, the SAPS and the Department of Tourism (DoT) entered into a partnership, focusing on the prevention, combating and investigation of crimes that impact on the tourism industry and the safety and security of tourists. A National Tourism Safety Forum was established. The Forum is a subcommittee of the NATJOINTS, responsible for the coordination and integration of the Tourism Safety Programme and the implementation of a multidisciplinary Integrated Tourist Strategy that will include the establishment of a tourism reserve police capability. The Forum will be cascaded to provincial, cluster/district and police station levels. A Memorandum of Understanding was signed, in December 2019, between the SAPS and the DoT.

The ultimate aim of community outreach campaigns is to achieve long-term lasting behavioural changes regarding crime and crime-related matters. Awareness raising, addresses the knowledge of individuals and aims to ensure that communities understand the impact of crime and take action to respond to crime. The main purpose is to inform the community about a current problem by highlighting and drawing attention to it, in such a way, that the information and education provided can solicit action to make changes. In 2019/2020, the SAPS conducted 75 community outreach campaigns, including 23 at national level, during which matters of national importance were addressed, which involved the Minister and/or the Deputy Minister of Police and the National Commissioner or a senior officer duly nominated to represent him/her and 52 at provincial level, initiated by a Provincial Commissioner, Corporate Communication and Liaison or Visible Policing, which involves the Member of the Executive Council of Community Safety and/or the Provincial Commissioner or a senior officer duly nominated to represent him/her. National community outreach campaigns consist of the official opening of police stations, the launch of projects, community mobilisation/engagement, ministerial outreach programmes or visits, dialogues, izimbiso and crime summits.

School safety is often an obstacle to learning. Crime, violence and abuse affect all aspects of our communities and schools are not always free from fear, intimidation and victimisation. The School Safety Programme was implemented at 1 250 identified schools, in partnership with the Department of Basic Education to prevent, manage and respond to incidents of crime and violence in schools. Schools are encouraged to establish and maintain a Safe School Committee. The KwaZulu-Natal Province has identified a total number of 322 schools for the implementation of the Programme. However, the Programme was not implemented at 49 of these schools, as they were closed, from November 2019, due to public protests. One identified school, in Limpopo, namely; Letsiri Primary School closed. CFPs can also play a vital and pivotal role in school safety, as these structures are an ideal platform to address crime and violence in the community. Representation of the school on the CPF should be encouraged, as information regarding, for example, drug suppliers and pedlars within the community can be shared at the CPF. Active participation will also assist in finding cohesive solutions to the crime challenges faced by schools within communities.

Traditional Leadership in Policing Framework

The purpose of the Framework is to enhance the role of traditional leaders and other relevant structures in the fight against crime through:

- maximising the participation and mobilisation of traditional leadership in crime prevention;
- improving the moral fibre of society through public education and awareness campaigns;
- intensify community education and awareness on crime and matters, which relates to safety and security;
- implementing integrated and focused crime prevention programmes or projects in a coordinated manner, which draws on the resources of all government agencies, including civil society;
- developing a set of national and local programmes, which serves to kick-start and focus the efforts of various government departments in delivering quality service and addressing root causes or contributing factors to crime; and
- promoting community participation in crime prevention activities.

The Framework was approved and is being rolled-out in all Provinces.

Eyes and Ears Project

The Eyes and Ears Project is a joint crime fighting initiative between the SAPS, BACSA and the PSIRA. The purpose of the initiative is to enhance the situational awareness and appropriate response by the SAPS, through collaboration with the PSIRA to be additional eyes and ears of the SAPS. The PSIRA has a large geographical deployment footprint, which can be used by the SAPS as an information resource in the fight against crime. The objectives of the Ears and Eyes Project are to:

- implement the Project operationally, in all provinces, through the Provincial OCCs or any other identified suitable centres, based on operational requirements;
- develop a model for improved situational information sharing between the SAPS and the PSIRA; and
- enhance operational response to crime hotspot areas and TRIO crimes, with specific emphasis on crimes which are heavily dependent on situational information and a shared concern for both the SAPS and the PSIRA.

The SAPS has adopted an innovative approach, using stakeholders as force multipliers, in support of the policing capability at local level. The SAPS will, therefore, intensify the roll-out of the Community In Blue and the Traditional Policing Concepts and through direct engagement with various stakeholders in all sectors, at all levels, facilitate the implementation of the Safer Cities Framework in identified cities.

The reservist system provides for the active involvement of the community in policing, to support a community-oriented policing approach. A reservist is a member from the community who volunteers his or her time and services, or expertise, without any expectation of remuneration to create a safe and secure environment where he or she resides, as part of the formal approved SAPS structures. An audit on reservists was undertaken, in 2019/2020, as many inactive reservists still reflected on the system. The total number of active reservists is 6 920, at the end of March 2020, compared to 10 144, at the end of March 2019. The SAPS also embarked on a recruitment drive for reservists. Reservists were called up to perform duties during the National Elections, Festive Season Operations and to enhance tourism safety at identified hotspots, in Mpumalanga, as well as to perform duties in support of the implementation of the Regulations for the containment and management of the COVID-19 pandemic. A total budget of R25 million was utilised for the remuneration of the reservists, during 2019/2020.

Municipal (Metropolitan) Police Services was established, in terms of Section 64 of the SAPS Act, 1995 (Act 68 of 1995). Section 64E of the Act mandates the Municipal (Metropolitan) Police Services to perform crime prevention functions. A SAPS and Municipal (Metropolitan) Police Services Collaboration Strategy was developed, after an Indaba, held from 7 to 8 March 2019 and was approved by the National Commissioner, on 19 November 2019. The Strategy will assist to enhance coordination between the SAPS, the Municipal (Metropolitan) Police Services, as well as the cooperation of joint services. The SAPS and the Municipal (Metropolitan) Police Services also developed the National Standard of Policing for Municipal (Metropolitan) Police Services on uniforms, ranking structure and insignia. The proposed uniform, ranking structure and insignia has been Gazetted and published for public comment.

REVITALISING OF STRATEGIC PARTNERSHIPS

The existing partnership between the DTI, the National Liquor Authority and the SAPS to address the enforcement of compliance by macro-manufacturers and distributors of liquor was strengthened through the review of the current Memorandum of Agreement, which mandates the appointment of SAPS members as liquor inspectors, to ensure compliance and enforcement of the provisions of Liquor Act, 2003 (Act No 59 of 2003).

The SAPS has intensified its partnership with diverse stakeholders as a strategy, to respond to crime more proactively. The collaborations are part of the SAPS' drive to enhance community policing and a culture of participative policing, in order to respond more efficiently to social complexities of crime and address the root causes.

The SAPS is involved in a number of partnerships, including business partnerships, community-based partnerships, international partnerships and partnerships with faith-based organisations, traditional leaders and non-governmental organisations. The SAPS is, therefore, committed to establishing effective and efficient partnerships, as an attempt to deter and prevent crime that is influenced by social factors.

Memorandum of Understanding/agreements signed between the SAPS and strategic partners	
Bombela Concession Company (Pty) Ltd and Bombela Operating Company (Pty) Ltd	Old Mutual Life Assurance Company
BACSA	PRASA
CSPS	PSIRA
Consumer Goods Council of South Africa	Premier Soccer League
Department of Cooperative Governance and Traditional Affairs	Railway Safety Regulator
Cross-Border Transport Agency	Road Traffic Infringement Agency
Department of Government Communication and Information System	South African Banking Risk Information Centre
Department of Health	South African Human Rights Commission
DoT	Transnet Freight Rail
Financial Intelligence Centre	University of South Africa
Moral Regeneration Movement	
Other agreements/protocols	
Framework of Cooperation - SAPS and the Consumer Goods Council of South Africa	Protocol - SAPS and the Department of Correctional Services
School Implementation Protocol - SAPS and the Department of Basic Education	Safer Cities Framework
Collaboration with external stakeholders, in support of SAPS crime prevention strategies/high-level action plans and concept documents	
Anti-Gangsterim Strategy	JCPS Post COVID-19 Economic Recovery Implementation Plan
Child Justice Act Implementation Plan	Youth Crime Prevention Strategy
Community Policing Strategy	Firearm Destruction Action Plan
Community In Blue Concept	Normalisation and Stabilisation Concept
Eskom Plan	Spiritual Crime Prevention Strategy
Rural Safety Strategy	Integrated Tourism Strategy
Illegal Mining Strategy	SAPS/Metropolitan Police Collaboration Strategy
Illegal Gambling Action Plan	Reservist Action Plan
Departmental Drug Master Plan	Administrative Adjudication of Road Traffic Offences Implementation Plan
Integrated Sexual Offences and Gender-Based Violence Strategy	Sport and Recreation against Crime
Integrated Action Plan for Policing of People with Disabilities	Non-Ferrous Metal Crime Combating Forum
Eyes and Ears Project	
Forums with internal and external stakeholders	
Stakeholders Priority Committee for Illegal Gambling, to ensure an integrated approach in addressing illegal gambling, in South Africa	Interdivisional Forum, to address crimes against women, children and vulnerable groups
Business Forum, to oversee and provide strategic direction to the SAPS and the business sector on issues of safety and security	National Consultative Forum between the SAPS and PSIRA, responsible to initiate, coordinate and make recommendations on all actions required by the SAPS and the PSIRA to enhance collaboration with the private security industry, but does not have executive authority

ENHANCE QUALITY SERVICE DELIVERY AND RESPONSIVENESS

The Central Firearm Register (CFR) has the responsibility to contribute towards the creation of a safe and secure, crime free environment that is conducive to social and economic stability, supporting a better life for all, by effectively improving control over the proliferation of firearms and responsible firearm ownership in the country. The CFR is mandated to administer firearm applications and issue firearm licences, in accordance with the prescripts of the Firearms Control Act, 2000 (Act No 60 of 2000). In 2019/2020, the CFR received a total number of 107 631 new firearm licence applications from individuals and organisations. From the 107 631 applications received, a total of 101 733 were finalised and 81 976 of these were finalised within 90 working days. This represents an achievement of 80,58% against a target of 90,00%, in 2019/2020. The underachievement was due to the inability of the EFRS to synchronise scanned documents with the application, e.g. photos, signatures, etc. The mainframe system is also slow and there is a delay in the finalisation of criminal record reports, due to system downtime. Most applications received were finalised, in the prescribed time frame, in Gauteng (31 255), KwaZulu-Natal (10 312), the Western Cape (7 762), Mpumalanga (7 265), the Free State (6 849), Limpopo (6 646) and North West (6 113) Provinces. In addition, the CFR received a total number of 154 016 applications for competency certificates, 90 880 applications for the renewal of firearm licenses, 221 temporary authorisation applications, 12 643 individual import/export permit applications and 1 846 commercial import/export permit applications.

Firearm-related applications received and finalised, in 2019/2020

Category of applications	Number of applications received	Number of applications finalised	Number of applications finalised, within 90 working days	Number of applications finalised (received, prior to 1 April 2019)
Competency applications	154 016	135 144	68 430	45 036
Firearm licences (individuals/institutions)	107 631	101 733	81 976	33 918
Renewals (individuals/institutions)	90 880	78 656	45 799	28 031
Temporary authorisations	221	421	243	199
Import/export (individuals and institutions)	12 643	14 252	12 264	1 959
Import/export (commercial)	1 846	1 815	980	381
Total	**367 237**	**332 021**	**209 692**	**109 524**

The accreditation of business entities, associations and organisations, forms a fundamental part of the implementation of the firearm control legislation, in South Africa. A total number of 40 institutions were accredited, in 2019/2020, which brings the total number of accredited institutions to 2 701, at the end of March 2020, compared to 2 661, at the end of March 2019.

Section 20 (2)(a) of the Firearms Control Act, 2000 also provides for the issuing of licences to security companies. Such firearms may only be used, as specified on the licence. The security company must, amongst others, be registered with the PSIRA to qualify for such a firearm licence. A requirement, in terms of Section 146 of the Act, read with Regulation 102 of the Firearms Control Regulations, 2004 is that whenever such a security service provider discontinue business, for any reason, notify the CFR in writing and dispose of the firearms and ammunition, within 90 days. A total of 556 deregistered security service providers were visited, 8 658 firearms and 8 743 rounds of ammunition were confiscated and seven arrests were made for the contravention of the Act. A total of 180 compliance inspections were conducted at identified non-official institutions, including firearm dealers, manufacturers, gunsmiths, security companies and training providers, while 115

compliance inspections were conducted at identified official institutions, including municipalities, Metropolitan Police Departments, state departments, museums and SANParks.

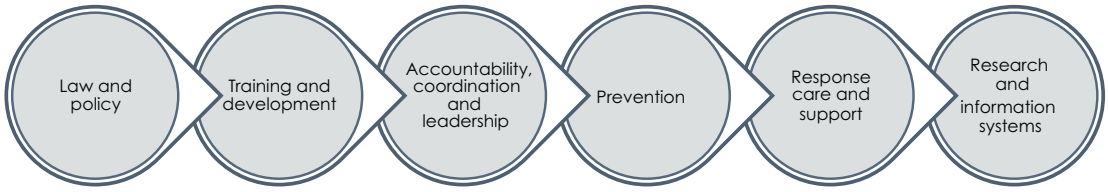
The SAPS 10111 Call Centres, as well as the police stations serves as a medium of communication between the SAPS and the community, to lodge emergency complaints, by utilising the 10111 Police Emergency Number, to request urgent police assistance/intervention. The 10111 emergency calls will be directed to the police station, located nearest to the complainant/caller. The national average police reaction time for crimes in progress (Alpha Complaints), including incidents where serious crimes were committed was 17:24 minutes, 21:13 minutes for crimes that have already taken place (Bravo Complaints), with no immediate threat to the complainant or property and 19:22 minutes for crimes of a less serious nature (Charlie Complaints). The set target of 19:13 minutes for the national average police reaction time for Charlie Complaints was not achieved, due to complex spatial design, relating to the continuous mushrooming and increase of informal settlements across the country, characterised by environmental design factors, such as the lack of accessible streets, street lights, street names and house numbers, as well as poor road conditions/ road infrastructure.

Province	Reaction time to complaints					
	Alpha		Bravo		Charlie	
	Target	Actual	Target	Actual	Target	Actual
Eastern Cape	20:58	21:58	25:38	29:29	24:23	26:19
Free State	18:13	20:10	23:22	24:56	20:40	22:09
Gauteng	13:10	13:01	15:17	14:33	14:37	13:53
KwaZulu-Natal	22:23	25:26	25:37	29:00	22:11	26:24
Limpopo	17:34	20:11	19:32	22:58	18:16	20: 52
Mpumalanga	18:44	19:53	21:56	23:43	19:13	19:58
North West	18:38	20:01	21:26	21:33	19:16	20:40
Northern Cape	16:24	18:10	21:24	24:53	17:01	18:49
Western Cape	15:32	14:59	18:22	17:34	16:58	16:25
National	**17:37**	**17:24**	**21:28**	**21:13**	**19:13**	**19:22**

RESPONSIVE POLICING TO GENDER-BASED VIOLENCE AND FEMICIDE

In recognition of the multitudes of challenges confronting our society today, especially women, youth and people with disabilities, the MTSF (2019-2024) emphasises these cross-cutting focus areas for the SAPS' developmental vision. This was reaffirmed by the President's declaration, that in 2019, we would intensify the fight against GBV and create safer communities. The SAPS participates on the Task Teams of the Interim GBV Steering Committee and provides inputs to the development of the National Strategic Plan 2020 - 2030 on GBVF. An Integrated Sexual Offences and GBV Strategy for the JCPS Cluster is in the process of being developed. The strategic intent of the Strategy, is to intensify and accelerate efforts to prevent acts of sexual offences and GBV, by creating multi-sectoral, short, medium and long-term strategic interventions.

Pillars of the Integrated Sexual Offences and Gender-Based Violence Strategy



Interventions to address GBV

- SOP on Respect, Protect and Promote the Rights of Lesbian, Gay, Bisexual, Transgender, Intersex+ Persons developed and approved for implementation.
- Conducted a total number of 515 capacity building sessions, in all nine provinces, from 1 October to 29 November 2019, to enhance effective delivery of quality service by SAPS members to diverse communities and vulnerable children.
- Conducted a total number of 18 capacity building sessions, in all provinces, reaching 368 members, to address the shortfalls in the implementation of the Child Justice Act, 2008 (Act No 75 of 2008).
- Conducted public education and awareness campaigns, including:
  - Bring a Child to Work Campaign
  - Launch and closing of Child Protection Week
  - Dialogue with female law enforcement by the Minister of Police
  - National Crime Victim Rights Week Campaign
  - Izimbizo on the 16 Days of Activism Campaign on No Violence against Women and Children
  - Consultative dialogue with civil society organisations and relevant stakeholders that are providing services to victims of GBV
  - Door-to-door campaigns and visit to victims/survivors of GBV
  - Deputy Minister izimbizo to engage with the community, to confront the scourge of GBV and violent attacks on vulnerable groups
  - Dialogue on International Human Rights Day

Victim-friendly services are rendered to reduce secondary victimisation and enable victims to provide details that assist in investigations. The SAPS continues to make an effort to improve services rendered to victims of sexual offences and domestic violence, by ensuring that victim-friendly services are rendered, at all police stations. In an effort to enhance quality and service delivery and responsiveness to victims of crime, a total number of 1 153 from a total of 1 154 police stations rendered a victim-friendly service to victims of rape, sexual offences, domestic violence and abuse, at the end of March 2020. There are 1 090 VFRs, including 1 001 at police stations, 38 at satellite police stations, one at a contact point, two at international airports and 48 at FCS Units.

In order to ensure compliance to disability inclusiveness and to embrace the rights of persons with disabilities, the Guidelines on Policing of Persons with Disabilities was approved, on 9 August 2019. An Integrated Action Plan on Policing People with Disabilities was approved, on 16 April 2019. The aim of the Plan is to dismantle barriers to services confronting persons with disabilities. Various forms were enhanced, in order to record statistics for victims and offenders with disabilities and was published on the SAPS Intranet.

The Trafficking in Persons Learning Programme was piloted, from 18 to 29 November 2019 and the revised Domestic Violence Learning Programme was approved and the official handing over was done, on 4 February 2020.

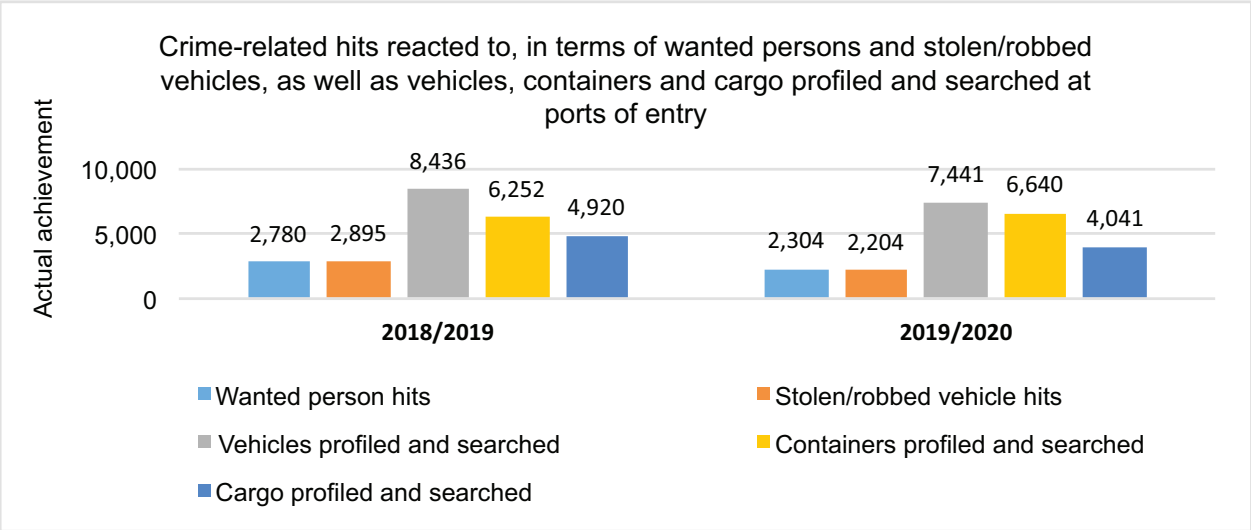
OPERATIONAL RESPONSE SERVICES

- Maintenance of public order and crowd management.
- Conducting of medium- to high-risk operations to enable normal policing.
- Safeguarding and securing of all ports of entry.
- Provisioning of operational support to all Divisions within the SAPS, including the rendering of airborne support and the rendering of support to all operational-related and national coordinated operations, as well as the deployment of members to neighbouring countries in peacekeeping missions.
- Coordination, planning, implementation and monitoring of all integrated police specific and interdepartmental (all-of-government) operations, to address priorities for the SAPS and the JCPS.
- Ensuring safety and security during major events.
- Safeguarding of valuable and dangerous government cargo.

SUBPROGRAMME: BORDER SECURITY

EFFECTIVE BORDER SECURITY MANAGEMENT

Ports of entry are a portal for the flow of people and goods. The effective management of the 72 ports of entry, including 53 land ports, nine seaports and 10 international airports, is vital in ensuring the enforcement of the relevant legislation and the prevention of the flow of, *inter alia*, contraband, illegal drugs, undocumented persons, stolen/robbed vehicles, stolen firearms, as well as to combat human smuggling and trafficking. The main focus is to prevent and combat transnational organised crime and illegal border crossing and migration; to enhance national security, to optimise territorial integrity; and to prevent terrorist and related activities, as well as a balance between trade and security. The port of entry environment monitors the movement of wanted persons and circulated stolen/robbed vehicles and reacts to hits[34], as a result of MCS/EMCS[35] screening and profile[36] and search vehicles (land ports), containers (seaports) and cargo[37] (airports) that are identified as high-risk, focusing on suspicious persons and vehicles, goods from identified risk countries and the commission of serious crime, including illicit drugs, illegal firearms, stolen vehicles, consignment, smuggled persons, counterfeit goods and contraband.



Wanted person and circulated stolen/robbed vehicle hits, resulted in the arrest of 520 wanted persons for whom a warrant of arrest had been issued and the recovery of 66 circulated stolen/robbed vehicles.

A total number of 13 people were arrested for corruption at ports of entry, inclusive of two SAPS members, nine immigration officials and two Swiss port employees.

The SAPS took part in the establishment process of the Border Management Authority, led by the Department of Home Affairs. The Border Management Authority Bill, aimed to provide for the establishment, organisation, regulation, functions and control of the Border Management Authority, was submitted to Parliament for consideration and approval.

The SAPS embarked on a recruitment drive to capacitate Border Policing Reaction Teams at Durban, Port Elizabeth and Ngqura Harbours and at King Shaka International Airport, in order to conform to international prescripts in the border policing environment. A total number of 15 members completed the first Border Policing Reaction Team Course comprising of Weapons, Rural and Urban Phases. The members who successfully completed these phases, were selected to participate in the Advanced Border Policing Reaction Team Learning Programme that will commence, in 2020/2021.

A total number of 3 781 planned crime prevention and combating actions were undertaken, including 340 roadblocks, 56 560 vehicle patrols, 10 588 vehicle checkpoints, 88 632 foot patrols and 1 247 vessel patrol inspections[38], to enhance the national security and territorial integrity at ports of entry.

A total of 189 police officials, including members at police station level, were deployed on a rotational detached duty system, at the borders between South Africa and Namibia.

The SAPS participated in bilateral collaborations with neighbouring countries, including the Bi-National Commission, led by the President of South Africa, in Zimbabwe, to address the socio-economic challenges experienced by the two countries, as well as bilateral meetings between South Africa and Mozambique on a shooting incident during routine patrol, in June 2019, along the border in KwaZulu-Natal, that involved SANDF members and members of the Mozambican Police.

A total number of 110 police members assigned to the aviation environment have been trained in the Aviation Policing Learning Programme. The purpose of the Programme is to secure and police the international civil aviation environment, to assure the protection of and safeguarding of passengers, crew, ground personnel, the general public and airport infrastructure.

The SAPS implemented the Border Policing Strategy that was approved, on 26 July 2019, which is aimed at the seamless movement of persons and goods in and out of the country, by effectively safeguarding and securing all borders, policing crimes that may threaten the safety and security of the Republic, ensuring that the repression and prevention of transnational organised crime, illegal migration and corruption are dealt with and preserving the territorial integrity of the Republic.

Five pillars of the Border Policing Strategy

Successes achieved at ports of entry: 2018/2019 and 2019/2020

Firearms and ammunition		
Success/confiscation	**2018/2019**	**2019/2020**
Arrests	51 for illegal possession of firearms 24 for illegal possession of ammunition	43 for illegal possession of firearms 37 for illegal possession of ammunition
Number of firearms and ammunition recovered	49 illegal firearms and 847 rounds of ammunition	46 illegal firearms and 1 160 rounds of ammunition
Illicit drugs		
Arrests	788	1 076
Drug confiscations		
Heroin	55,690 kg	50,815 kg
Cocaine	891,179 kg	216,574 kg
Crystal meth (Tik-Tik)	160,801 kg	26,332 kg
Cannabis (dry)	10 772,137 kg	6 272,958 kg
Cannabis (plants)	1 420 plants	266 plants
Ecstasy tablets/powder	6 709 tablets	1 316 tablets
Mandrax tablets	1 663.5 tablets	11 650.5 tablets
Crack cocaine rocks	2 rocks	1 rock
Stolen and robbed vehicles		
Arrests	290	269
Number of vehicles recovered	225	232
Violations, in terms of the Immigration Act (undocumented persons)		
Arrests	8 984	9 716
Transnational commerce-related crimes (illegal goods)		
Arrests	15	43
Maritime-related offences		
Arrests	184	226

Other crimes (crimes not mentioned in this table)		
Arrests	1 060	1 188
Human trafficking		
Arrests	0	0
Stock theft		
Arrests	24	27

SUBPROGRAMME: SPECIALISED INTERVENTIONS

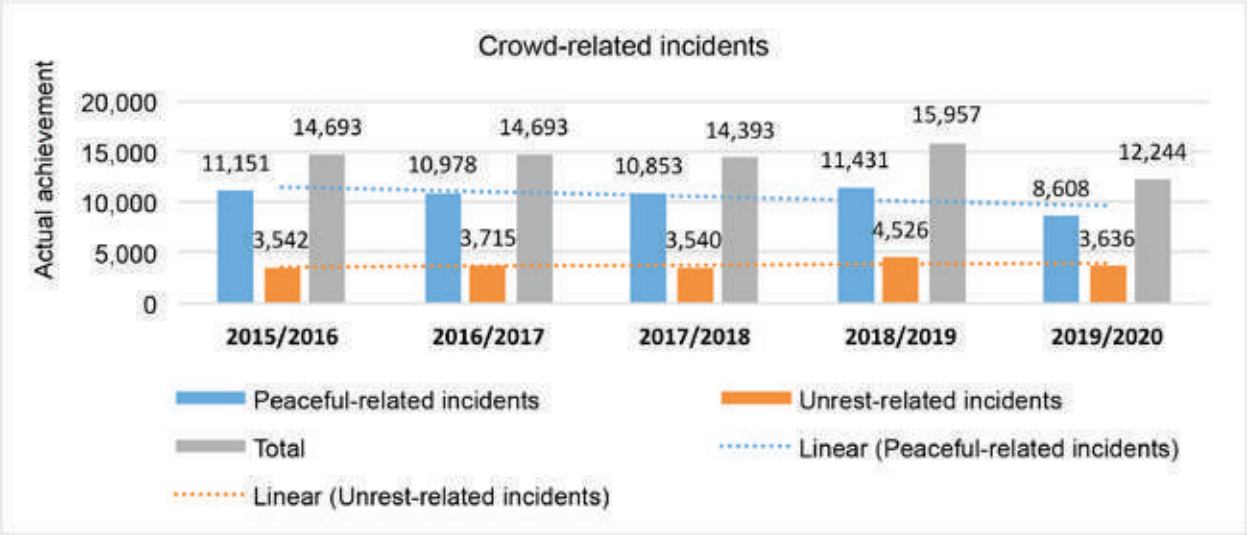
POLICING/STABILISATION OF PUBLIC DISORDER AND CROWD MANAGEMENT

POP is mandated, in terms of Section 205 (3) of the Constitution of the Republic of South Africa, 1996, to maintain public order, through crowd management and the combating of crime. The SAPS continues to capacitate the 45 Provincial POP Units, as well as the four reserve units (in Pretoria, Durban, Cape Town and Mbombela) that it has at its disposal, to manage community protests, including the training and equipping of members to deal with crowd management. The human resource capability increased, with 320 from 5 818 members, in 2018/2019, to 6 138 members, in 2019/2020, comprising 5 734 SAPS Act members and 404 PSA personnel.

A total number of 12 244 crowd-related incidents were responded to and successfully policed/stabilised by POP Units, in 2019/2020, including 8 608 peaceful incidents, such as assemblies, gatherings and meetings and 3 636 unrest-related incidents, such as tertiary institution conflicts, conflict between communities and gangs, labour disputes in the mining sector, e.g. the Association of Mineworkers and Construction Union, strikes at Eskom, election campaigns, funerals, land invasion, demarcation, attacks on foreign nationals, taxi industry violence and dissatisfaction with service delivery protests by local municipalities. A total number of 3 678 arrests were made by POP, comprising 14 arrests for peaceful incidents and 3 664 arrests for crowd unrest incidents. The number of peaceful incidents decreased, with 2 823 incidents, while unrest-related incidents decreased, with 890 incidents, compared to 2018/2019.

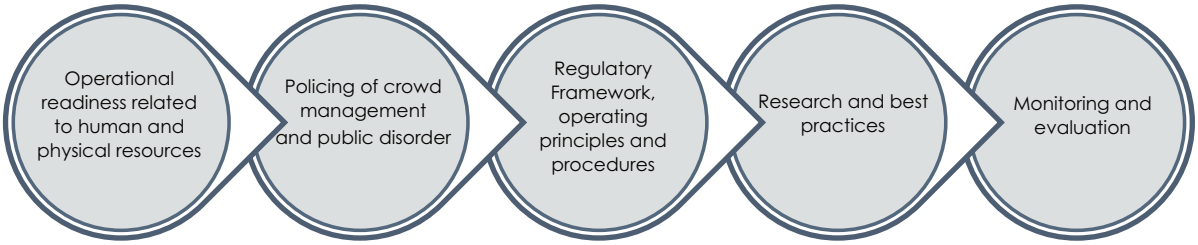
The secondary function of POP, is to conduct intelligence-driven crime combating and prevention operations. A total number of 5 633 intelligence-driven crime combating and prevention operations, 500 unrest (other) incidents[39] and 10 045 specialised operational support-related incidents[40] were policed. A total number of 15 886 arrests were made, comprising 13 594 arrests for intelligence driven crime combating and prevention operations, 1 862 arrests for specialised operational support-related incidents and 430 arrests for unrest (other) incidents.

As part of JCPS Cluster interaction to counter violent protest actions in the country, the National Joint Operational Centre (NATJOC) increased its capacity, to coordinate and monitor all public order-related incidents, on a 24/7 basis.



In order to achieve the creation of a demilitarised, professional and well-resourced POP capacity within the SAPS, which is capable of addressing the 21st century policing demands, the SAPS implemented the POP Strategy that was approved, on 28 June 2019.

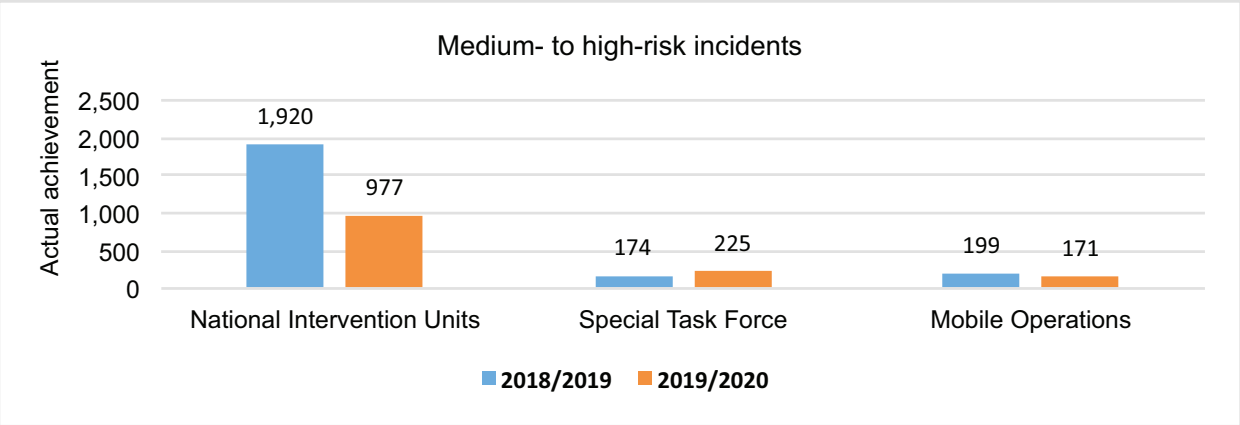
Five pillars of the POP Strategy



Training provided to members within the POP environment

Type of POP training	2018/2019	2019/2020
Water cannon operators	10	20
Crowd Management for Platoon Commanders	12	14
Crowd Management for Platoon members, inclusive of the Metropolitan Police Department	348	553
Public Order Police Refresher's Training	931	581
Dangerous Weapons Act, 2013 (Act No 15 of 2013)	14	1 277
Crowd Conflict Management Training	0	28
First Aid	1 369	68
2nd Generation Nyala/Water Canon Induction Course	156	180
New Generation Nyala Mechanical Workshop	98	113

POLICING OF INCIDENTS OF A SECURITY NATURE, WHICH REQUIRE SPECIALISED INTERVENTION



National Intervention Unit

National Intervention Units (NIU) provide a rapid response capability for intervening in medium- to high-risk incidents, where conventional policing has been compromised. This includes interventions dealing with serious and violent crime, the escorting of dangerous criminals, the safeguarding of Very Important Persons (VIPs), safeguarding big events and specialised operational assistance to police stations, as well as other government departments. These Units are situated in Cape Town, Durban, Mthatha and Pretoria.

The 977 medium- to high-risk incidents responded to comprised 414 operational support incidents, 347 escorting duties, 67 protection of VIPs and/or event operations, as well as 149 national deployments. During these incidents a total number of 85 arrests were made and 50 firearms (handguns and rifles), 883 rounds of ammunition and nine vehicles were confiscated. A total of 1 202 Mandrax tablets, 287 ecstasy tablets and 26 863 heroin capsules were also confiscated, as well as R107 819.00 in cash.

The NIU also performed 1 001 self-initiated operations, intelligence driven operations, as well as planned and targeted deployments, to address specific incidents of crime. The respective units conducted operations on gangsterism, firearms and ammunition, drugs, stolen vehicles and counterfeit goods. These operations resulted in 216 arrests and the confiscation of 120 firearms (handguns and rifles), 1 365 rounds of ammunition and 58 vehicles. A total of 15,786 kg cannabis, 488,5 Mandrax tablets, 0,400 kg Crystal Meth (Tik-Tik) and 1 008 cocaine rocks were confiscated, as well as R50 804.50 in cash.

Special Task Force

The primary function of the STF is to manage medium- to high-risk incidents, such as hostage situations, high-risk crime incidents (interventions to combat acts of terrorism, organised crime, serious and violent crime and anti-poaching), protection of VIP and high-risk persons, search-and-rescue operations and operational support (transportation of ammunition and money), which require specialised skills, training and equipment. There are three STF Units in Cape Town, Durban and Pretoria.

The 225 medium- to high-risk incidents comprised 34 hostage situations, 117 high-risk incidents, five search-and-rescue operations, 39 protection of VIPs and high-risk persons and 30 operational support incidents. During these incidents, a total number of 171 arrests were made and through specialised operational assistance to Crime Intelligence, the DPCI and other government departments, a total number of 85 firearms (handguns and rifles), 1 661 rounds of ammunition and 37 vehicles were confiscated, as well as R212 448 037.00 in cash.

Tactical Response Teams

TRTs were officially established, in April 2010 and its mandate is to provide a tactical response capability to resolve confirmed medium- to high-risk, serious and violent crimes, which are in progress. It also provides tactical operational support through planned operations or specific requests, within the province, as well as a tactical intervention solution to safely resolve confirmed medium-to high-risk crime threats, which have escalated beyond the capabilities of generic policing skills. There are currently 29 TRT Units in the nine provinces, including nine, in KwaZulu-Natal, two each, in the Western Cape, the Free State and Mpumalanga, four each, in Gauteng, the Eastern Cape and the North West and one each, in Limpopo and the Northern Cape.

TRT Units attended to 415 tactical response activities (responding to serious crimes in progress, crowd management, crisis incidents in progress and assisting other units when a tactical capability is required); attended to 17 590 tactical operational support operations and activities (anti-poaching, cross-border operations and the transporting of dangerous criminals); executed 448 tactical intervention activities (active shooter situations, cordon-and-search operations to search persons, vehicles and premises); executed 455 self-initiated operations, focusing on trio-related crimes, (aggravated robberies, theft of motor vehicles, drug-related crimes and firearms and ammunition) and attended to 134 670 day-to-day operations and generic activities. During these activities 2 422 arrests were made for various offences and 1 256,040 kg cannabis, 5 936 Mandrax tablets, 0,237 kg Crystal Meth (Tik-Tik), 0,578 kg cocaine, 4 473 ecstasy tablets, 373 illegal firearms, 43 883 rounds of ammunition, 316 stolen/robbed vehicles and 1 kg of gold were confiscated, as well as R559 523.90 in cash.

Mobile Operations

Mobile Operations is responsible for the safeguarding of valuable[41] and/or dangerous[42] government cargo. There are two Mobile Operation Units, in Pretoria and Cape Town.

No security breaches occurred during the protection of valuable and/or dangerous government cargo by Mobile Operations. In addition, 38 self-initiated operations and two crime prevention operations were executed, during which two persons were arrested and two canon printers with two cartridges, two photocopy machines, two keyboards and 580 counterfeit bus tickets were confiscated, as well as R4 500.00 in cash.

External Deployments

The SAPS renders specialised policing services to neighbouring countries in fulfilment of Outcome 11 of Government's Programme of Action: "Enhanced Africa Agenda and Sustainable Development". It includes the deployment of members on peacekeeping missions[43] and other interventions, in accordance with the UN Security Council Resolutions, the AU Constitutive Act and SADC agreements, as agreed by the RSA Cabinet.

A total number of 69 members were deployed in AU/UN peacekeeping missions, including 32 members, in South Sudan and 35 members as police advisors, in Darfur. One member is appointed in the UN Office of Rule of Law and Security Institution, in New York and one female member is appointed as the Senior Police Coordinator, in Somalia. The SAPS representative appointed as the United Nations' Police Advisor in the UN's Office of Rule of Law and Security Institutions, in New York was nominated by the Under-Secretary-General in the UN's Department of Peacekeeping Operations as Mission Coordinator for the UN/AU Mission, in Darfur and backup coordinator for the UN' Mission, in South Sudan, in terms of integrated responsibilities for all Nations' Office of Rule of Law and Security Institutions Sections. The SAPS representative, appointed as the UN's Police Sector Commander, in Darfur, after returning from Darfur, was appointed as Senior Police Coordinator, in Somalia, to assist with the building of the Federal Government's capacity to promote respect for human rights and women empowerment, child protection, to prevent conflict-related sexual gender-based violence; and strengthen justice institutions.

According to the SADC Standby Force Agreement and other mandating authorities, a total of 500 members must be trained and on standby for deployment, annually, as per cabinet approval. During the reporting period, a total of 584 members were trained and placed on standby for deployment in peacekeeping missions.

Airborne Support

The SAPS Air Wing provides air support for crime-related matters to police stations, other units and specialised forces. The SAPS currently has 49 aircraft, including 37 helicopters and 12 fixed wing aeroplanes. The 37 helicopters, include 13 BO105 helicopters, which have been removed from service, due to ageing and serviceability constraints and two AS350B3 (H125) helicopters grounded for boarding, due to accident and lifespan maturity. By the end of March 2020, there were 53 pilots in the SAPS, including 32 helicopter pilots, 14 fixed-wing pilots and seven dual-rated pilots, who were flying both helicopters and fixed-wing aeroplanes. A total of 54 Airborne Law Enforcement Officers were in the Air Wing, by the end of March 2020.

A total of 3 178.5 hours were flown, including 2 416.5 operational hours for crime-related matters, such as call-outs (464.8 hours), crime prevention (659.2 hours), planned operations (1 134.1 hours) and assistance to the specialised forces (158.4 hours). A total of 762.0 hours were flown for non-crime related flights, including communication flights (265.1 hours), shows (41.1 hours), training (311.6 hours) and maintenance flights (144.2 hours). A total of 116 self-initiated operations, focusing on high visibility air patrols to prevent crimes, such as trio-crimes, business and residential robberies, coastal patrols and others, were conducted.

Mobilisation Support

Mobilisation Support is rendering transport and/or vehicle-related equipment, to support operational-related and national coordinated operations and events, including armoured vehicles, support to operational deployments, such as cross-border operations, the building/maintaining of camps, the deployment of chefs and camp supervisors, the supplying of equipment and consumables, such as speed fencing, riot helmets, flags, chairs, tables, tents, lawnmowers and furniture removals.

A total of 598 requests were successfully attended to, with regard to transport activities. These are inclusive of assistance to approved official funerals, officials attending courses, training and maintenance shooting, shuttle services for high ranking officer visits, officials attending the

National Police Commemoration Day and the National Excellence Awards, as well as the towing of armoured vehicles. In 2019/2020, assistance was provided to border policing-related detached duties, to the Northern Cape, deployment duties for the national elections, to the Eastern Cape and Mpumalanga Provinces, deployment duties during Operation Lockdown, speed fencing to Ellis Park Rugby Stadium for the ANC Rally, the Minister of Police's visit, to Carletonville, the Judicial Commission of Inquiry into Allegations of State Capture, in Parktown and the Inauguration of the President, at Loftus Versfeld Stadium.

A total of 124 requests were successfully attended to, with regard to support activities. These activities include providing assistance for training camps, the erecting of speed fencing, firearm destruction operations and the hosting of work sessions/meetings.

Armoured vehicles play an important role in the SAPS and, more specifically, in the POP environment, as a force multiplier and a vehicle capable of protecting occupants from arms fire, petrol bombs, etc. At the end of March 2020, a total of 555 selective armoured vehicles were active, of which 244, inclusive of 90 second new generation armoured vehicles, were reported as operable/serviceable.

MANAGEMENT OF MAJOR EVENTS AND CRIME COMBATING OPERATIONS

National Operational Coordination (NOC) is responsible for coordinating, implementing and monitoring interdepartmental and police specific operations, to address JCPS and SAPS priorities, managing cabinet-approved major events, as well as other events, in terms of the Safety at Sports and Recreational Events Act, 2010 (Act No 2 of 2010). NOC serves as the coordinating structure and the secretariat of the NCCF and the Interdepartmental NATJOINTS - an operational arm of the JCPS Cluster, responsible for coordinating all security and stability operations, throughout the country. The SAPS holds the chairpersonship of the NATJOINTS.

- NOC planned, coordinated, evaluated and executed 73 intervention operations and stabilised identified hotspots, successfully. A total of 15 cabinet approved and high-risk categorised events, in terms of the Safety at Sports and Recreational Events Act, 2010, were managed by NOC.
- National and Provincial Elections, on 8 May 2019.
- Presidential Inauguration, on 25 May 2019, at Loftus Versfeld Stadium, in Pretoria.
- The Counsel of Southern Africa Football Association Cup Tournament, from 25 May to 8 June 2019, at various stadiums, in Durban.
- National Youth Day Celebrations, on 16 June 2019, at the Polokwane Cricket Club, in the Limpopo Province.
- SONA, on 20 June 2019, at the Parliament of South Africa, in Cape Town.
- National Women's Day Celebrations, on 9 August 2019, at the Vryburg Showgrounds, in the North West Province.
- World Economic Forum on Africa, from 4 to 6 September 2019, at the Cape Town International Convention Centre.
- Official State Funeral of the late Deputy Minister Bavelile Hlongwa, on 21 September 2019, at the Durban International Convention Centre.
- National Heritage Day Celebrations, on 24 September 2019, at Mxolisi Jacobs Stadium, in Upington.
- South Africa Investment Forum Conference, from 5 to 7 November 2019, at the Sandton Convention Centre.
- Africa Investment Forum, from 11 to 13 November 2019, at the Sandton Convention Centre.

- African Ministerial Conference on the Environment, from 11 to 15 November 2019, at the Olive Convention Centre, in the KwaZulu-Natal Province.
- National Reconciliation Day, on 16 December 2019, at the Bergville Sports Ground, in the KwaZulu-Natal Province.
- SONA, on 13 February 2020, at the Parliament of South Africa, in Cape Town.
- SANDF Armed Forces Week, from 14 to 21 February 2020, in Polokwane.

HIGHLIGHTS

On 18 September 2019, Upington Border Police and a K9 Unit arrested three suspects and confiscated 42 bags of cannabis, valued at R1.2 million, as well as a vehicle belonging to the suspects.

Three suspects were arrested by the DPCI Serious Organised Crime Investigating Team, the stock theft unit, the Local Criminal Record Centre (LCRC) and members from the Vioolsdrift Port of Entry, on 7 February 2020, in the Northern Cape, on charges of illegal dealing in rhino horn, valued at approximately R648 000. Members received information regarding a suspicious vehicle that was standing 20 km outside the Vioolsdrift Port of Entry. Upon arrival, a search was conducted and a bag containing two rhino horns was found in the vehicle.

On 8 February 2020, during an integrated multidisciplinary operation, three drug mules, two males and a female, were arrested at the OR Tambo International Airport (ORTIA). The female was carrying over 21 kilograms of a substance suspected to be cocaine in her check-in luggage and the male, over four kilograms. In another incident, on the same day, a 49-year-old male, from Brakpan was arrested at ORTIA, just as he was about to depart to Hong Kong. The male was found with over five kilograms of cocaine. This was the second time, in less than a month that an alleged drug mule carrying cocaine and travelling to Hong Kong, was intercepted at ORTIA. On 12 January 2020, another female was intercepted and arrested at the airport after she was found in possession of cocaine.

POP members took part in Provincial Stabilisation Operations, in Gauteng (3 to 30 September 2019), in Mpumalanga (7 to 31 March 2020) and in Jozini, Emanguzi, Ladysmith and Harding, in KwaZulu-Natal (17 to 31 March 2020), to assist with violent protest actions, including the destruction of property and the barricading of roads, taxi violence and to restore normality to various areas within these provinces. During these operations, the 72-Hour Activation Plan was executed, during which all the necessary resources were mobilised.

On 29 February 2020, the Absa Premiership soccer match, between Orlando Pirates and Kaizer Chiefs soccer teams took place, at the First National Bank Stadium. The expected crowd capacity for the match, was 87 436 spectators. On the same day, the Ultra Music Festival, Africa's largest electronic music festival took place, at the NASREC Expo Centre, with, approximately 25 000 participants, which was in the same precinct as the soccer match. POP members and other law enforcement agencies conducted a joint operation for both events and successfully policed the events without any injuries, damage to property or loss of life.

A total number of 36 members from the National POP Reserve Unit, in Pretoria were deployed to the Ranch Hotel, in the Limpopo Province, from 13 to 15 March 2019 that was identified as a quarantine zone for 121 South Africans being repatriated from Wuhan, China, as a result of the COVID-19 pandemic. Members assisted with the escorting and safeguarding of the evacuees.

A 32 year old suspect linked to the murder of Captain Dumisani Mhlanzi, at Kwamaphumulo, was arrested, in June 2019, by the NIU and the DPCI in a joint operation. The suspect was found in possession of an unlicensed firearm and rounds of ammunition.

Two police members, suspected of a robbery at a post office, were killed during operations conducted by the NIU, the DPCI and Crime Intelligence, in the Dalton, Greytown and Wartburg Areas, in October 2019. Members attempted to flag down a police patrol vehicle, but instead of stopping, the member from the patrol vehicle allegedly opened fire on the team, who had to return fire. An angle grinder, a jack hammer and other implements, as well as ink stained cash were found inside the patrol vehicle.

The NIU, STF and the DPCI acted on information received about suspects involved in multiple cash-in-transit heists, in the Eastern Cape, in November 2019. They were intercepted, whilst traveling on the N1, near Paarl. The occupants of the taxi allegedly fired at the team and the police returned fire. A total of 11 suspects were arrested and three suspects were fatally wounded. Those arrested faced charges of attempted murder and possession of suspected stolen property.

A 42-year-old suspect was arrested, at Valhalla Park, in the Western Cape, on a charge of dealing in drugs by the NIU and other law enforcement members, in November 2019. Various bags containing cannabis and Mandrax tablets, were confiscated. In another incident, a vehicle was found after the occupants fled the scene. A .38 Revolver was found

inside the vehicle, together with 209 Mandrax tablets worth R9 405.00. NIU and members from various law enforcement also arrested two drug dealers, in Phoenix, on 28 November 2019. Drugs with an estimated street value of R148 030.00 were recovered.

A total of 1 212 suspects were arrested, in the Western Cape for gang-related crimes ranging from murder, attempted murder, illegal possession of unlicensed firearms and ammunition, possession of prohibited firearms, illegal possession of ammunition and possession of drugs. A total of 134 firearms, 1 380 rounds of ammunition, 83 vehicles and 41 177 Mandrax tablets and other drugs were confiscated.

A total of 224 suspects were arrested, during the Emanguzi Presidential Intervention Operation, along the Northern KwaZulu-Natal Borderline, for crimes ranging from possession of suspected stolen vehicles, possession of suspected stolen property, hijacking and possession of counterfeit goods, illegal possession of unlicensed firearms and ammunition, possession of prohibited firearms, illegal possession of ammunition, murder and attempted murder. A total of 22 firearms, 216 rounds of ammunition, 98 vehicles and 29 690 counterfeit goods were confiscated.

STATISTICAL PERFORMANCE INFORMATION

Objective statement	Performance Information	Estimated performance (2019/2020 to 2021/2022)	Actual performance, for 2019/2020
Revitalising strategic partnerships	Number of identified functional strategic partnerships	Performance will be tested, during 2019/2020	Three identified functional strategic partnerships, including the partnership with the Premier Soccer League signed, on 27 February 2020, the Department of Tourism signed, on 4 December 2019 and the Cross-Border Transport Agency signed, on 5 December 2019.
Contribute to the reduction of serious crime	Number of reported crimes against women	Reduce by 6,7% per annum	Crimes against women indicated a 4,8% reduction, from 179 683, in 2018/2019 to 171 070, in 2019/2020.
	Number of reported crimes against children	Reduce by 6,7% per annum	A reduction of 6,4% was recorded for crimes against children, from 45 229, in 2018/2019 to 42 348, in 2019/2020.
	Number of reported crimes for unlawful possession and dealing in drugs	Increase the number of reported crimes for unlawful possession of and dealing in drugs	Crimes for the unlawful possession and dealing in drugs decreased, by 26,71%, from 232 657, in 2018/2019 to 170 510, in 2019/2020.
Recovery of illicit drugs:			
	Cannabis	Increase the seizure of all categories of drugs	Decreased, by 33,29%, from 238 679,605 kg, in 2018/2019 to 159 234,402 kg, in 2019/2020.
	Cocaine		Decreased, by 75,46%, from 784,176 kg, in 2018/2019 to 192,466 kg, in 2019/2020.
	Crystal Meth (Tik-Tik)		Increased, by 5,74%, from 603,655 kg, in 2018/2019 to 638,288 kg, in 2019/2020.
	Heroin		Increased, by 46,72%, from 213,801 kg, in 2018/2019 to 313,697 kg, in 2019/2020.

Objective statement	Performance Information	Estimated performance (2019/2020 to 2021/2022)	Actual performance, for 2019/2020
Recovery of illicit drugs:			
	Mandrax		Decreased, by 33,73% from 1 389 204 tablets, in 2018/2019, to 920 659.75 tablets, in 2019/2020.
Strengthening the community centred approach to policing	Percentage of identified police stations where sector policing has been implemented according to the set implementation criteria	Ensure that 95% of identified police stations have implemented sector policing according to the set implementation criteria	At the end of March 2020, 852 of the 875 identified police stations implemented sector policing.

OVERALL PERFORMANCE

The Visible Policing Programme identified 34 targets, for the 2019/2020 financial year, compared to 33, in 2018/2019. A total number of 26 targets or 76,47% were achieved and eight targets were not achieved, in 2019/2020.

STRATEGIES TO OVERCOME AREAS OF UNDERPERFORMANCE

The Visible Policing Programme underperformed in the following areas, in 2019/2020:

- Number of reported serious crimes
- Number of reported contact crimes
- Number of reported contact crimes at the identified 30 high crime weight stations
- Number of stolen/lost and illegal firearms recovered
- Percentage of applications for new firearm licenses finalised, within 90 working days
- Average national police reaction time to Charlie Complaints
- Percentage of police stations rendering a victim-friendly service to victims of rape, sexual offences, domestic violence and abuse
- Number of schools identified to implement the School Safety Programme

STRATEGIES THAT HAVE BEEN/WILL BE IMPLEMENTED TO ADDRESS THE UNDERPERFORMANCE

Number of reported serious and contact crimes, including crimes reported at the 30 identified high crime weight police stations

» Stabilisation and high density basic policing interventions are running in all the provinces, complemented by normalisation interventions, such as:

> The deployment of resources, as per Crime Pattern Analysis and Crime Threat Analysis.

> Continue with high visibility patrols and ensure the involvement of Crime Intelligence.

> Continue with high density operations, such as Operations Fiela and Festive Season, Vala, in KwaZulu-Natal, Lockdown, in the Western Cape, Stabilisation Operations, in the North West Province, etc.

> The establishment and resourcing of dedicated Crime Prevention Units, at police station level, to enable them to conduct 24-hour visibility patrols (Crime Prevention Units are in a process of establishment, commencing with the 30 identified high crime weight police stations, as part of migrating resources to police station level).

> Provincial crime prevention summits and the development of provincial and local crime prevention frameworks.

> Ministerial izimbizo.

> Community engagements by the Minister and police leadership, in all provinces.

> Community awareness programmes.

> Youth crime prevention projects.

> Intensified street patrols, as part of the Community in Blue Concept.

> Intensified police visibility.

> The utilisation of reservists.

> The enforcement of the Liquor Act, by police stations, as well as weekly compliance inspections at liquor outlets.

> Firearm amnesty.

> Intensification social crime prevention campaigns, focusing on drug and substance abuse, dangerous weapons, sexual offences, etc.

> The activation of local municipalities to address challenges relating to environmental design, as part of a Safety Framework for Informal Settlements (long-term intervention).

> The implementation of an Action Plan for the Departmental Drug Master Plan, to address substance abuse (the reduction of supply and demand).

> Inter-cluster engagements to develop a holistic response on cross-cutting root causes of crime.

> Review of the National Crime Prevention Strategy.

Number of stolen/lost and illegal firearms recovered

» Firearm Amnesty.

» Intensified cordon-and-search and stop-and-search operations, including roadblocks.

» Compliance inspections at security companies and gun shops.

» Establishment of task teams to clear storage facilities.

Percentage of applications for new firearm licenses finalised within 90 working days

» The development of a firearm application process flow, to expedite the finalisation of new firearm licenses, within 90 working days.

» The acquisition of a new Firearms Control System.

» The acquisition of a building for the CFR.

» The completion of walk ways for 10 storage containers.

Furthermore, the Turnaround Plan for FLASH that was approved, on 16 July 2019 will be implemented to enhance the effective functioning of FLASH services. The Plan is based on the following pillars:

» Organisational restructuring/building capacity.

» Enhanced understanding and application of legislation.

» Enhanced administration and enforcement of compliance to legislation.

» Effective monitoring and evaluation.

Average national police reaction time to Charlie Complaints

» Directives for the compilation of daily, weekly and monthly complaints status reports.

» The implementation of the revised Rural Safety Strategy.

» Weekly blue and white blue patrols.

» The deployment of reservists during peak times.

» The availability of serviceable vehicles.

Number of schools identified to implement the School Safety Programme

» Review of the School Safety Protocol.

Underperformance in the Crime Prevention Subprogramme will be further addressed, through the implementation of various strategies, including the Rural Safety Strategy (the reviewed strategy was launched, on 11 October 2019, in the Limpopo Province); the Integrated Sexual Offences and GBV Strategy (the pillars of the Strategy was revised, to be in line with the draft National Strategic Plan on GBVF 2020 – 2030 and an Integrated Sexual Offences and GBV Strategy is in the process of being developed for the JCPS Cluster); the Integrated National Youth Crime Prevention Strategy (the Strategy was finalised and is awaiting approval); the Community Policing Strategy (the Strategy was launched, in all provinces), together with the Community in Blue Concept (there are currently approximately 15 702 community patrollers across the country); the Municipal (Metropolitan) Police Service Collaboration Strategy (the Strategy was approved, on 19 November 2019); the Stabilisation and Normalisation Framework (a task team was established and an action plan was developed. Criteria/a blue print is to be finalised, by the end of September 2020 and thereafter, it will be tested in identified provinces); the Eyes and Ears Initiative (the initiative was piloted, in the Gauteng Province, in May 2019, the implementation plan and the Terms of Reference was approved, on 31 October 2019 and an Eyes and Ears Executive Committee was appointed); the Traditional Leadership Policy Framework (the framework was approved, piloted, in the Eastern Cape Province and has being rolled-out to four other provinces); the Anti-Gangsterism Strategy Implementation Plan (the Plan was approved and the implementation, is being monitored); and the Safer Cities Concept (a Safer Cities Summit was held, from 18 to 20 March 2020, a working group was established, on 4 July 2019, a Terms of Reference was approved, a draft Safer Cities Framework was developed and a new approach for the development and implementation of the Concept was approved. A dedicated project team will be appointed to attend to the implementation of the Concept at 10 identified pilot cities).

CHANGES TO PLANNED TARGETS

There were no changes to planned targets, in 2019/2020.

LINKING PERFORMANCE WITH BUDGETS

SUBPROGRAMME EXPENDITURE

Subprogramme	2019/2020			2018/2019		
	Final appropriation	Actual expenditure	(Over)/ under expenditure	Final appropriation	Actual expenditure	(Over)/ under expenditure
	R'000	R'000	R'000	R'000	R'000	R'000
Crime Prevention	38 834 120	38 788 773	45 347	36 473 478	36 473 478	-
Border Security	2 155 632	2 155 632	-	2 021 487	2 021 487	-
Specialised Interventions	4 542 265	4 542 265	-	4 639 810	4 638 130	1 680
Facilities	4 261 712	4 261 712	-	3 984 183	3 984 183	-
Total	**49 793 729**	**49 748 382**	**45 347**	**47 118 958**	**47 117 278**	**1 680**

4.3 PROGRAMME 3: DETECTIVE SERVICES

PROGRAMME OVERVIEW
The purpose of the Detective Services Programme is to enable the investigative work of the South African Police Service, including providing support to investigators, in terms of forensic evidence and criminal records. The programme objective is to contribute to the successful prosecution of offenders by investigating, gathering and analysing evidence. The Detective Services Programme comprises the following four subprogrammes: **Crime Investigations** provides for detectives at police stations who investigate crimes, including crimes against women and children. **Specialised Investigations** provides for the prevention, combating and investigation of national priority offences, including the investigation of organised crime syndicates, serious and violent crime, commercial crime and corruption. **Criminal Record Centre** provides for effective and credible Criminal Record Centres, in respect of crime scene management or processing and provides criminal records and related information. **Forensic Science Laboratory** funds Forensic Science Laboratories, which provide specialised, evidence-related technical analysis and support to investigators. The Detective Service and Forensic Services Divisions, as well as the DPCI, are the joint custodians of Programme 3, as contained in the Strategic Plan and the APP of the SAPS. The Detective Service Division is responsible for the outputs of the Crime Investigations Subprogramme. The Forensic Services Division is responsible for the outputs of the Criminal Record Centre and the Forensic Science Laboratory Subprogrammes and the DPCI for the outputs of the Specialised Investigations Subprogramme. The performance of the DPCI is included in a separate section, at the end of Programme 3. Tables 7, 8, 9 and 10 below, outline the actual performance for strategic performance indicators and annual performance indicators, against set targets for the subprogrammes under Programme 3. Tables 11 and 12 outline the actual performance for strategic performance indicators and annual performance indicators, against set targets for the DPCI.

STRATEGIC PERFORMANCE INDICATORS, PLANNED TARGETS AND ACTUAL ACHIEVEMENTS

SUBPROGRAMME: CRIME INVESTIGATIONS

Table 7: Actual performance against targets

Objective statement	Performance indicator	Actual achievement 2016/2017	Actual achievement 2017/2018	Actual achievement 2018/2019	Planned target 2019/2020	Actual achievement 2019/2020	Deviation from planned target to actual achievement 2019/2020	Comment on deviation
Effective investigation of serious crime	Detection rate for serious crimes	Detection rate of 36,22% (781 830 from a total of 2 158 281) for serious crimes.	Detection rate of 35,97% (747 890 from a total of 2 079 300) for serious crimes.	Detection rate of 36,37% (771 674 from a total of 2 121 803) for serious crimes.	37,25%	Detection rate of 36,17% (751 720 from a total of 2 078 225) for serious crimes.	-1,08% points	Target not achieved. The combined serious crime category decreased, by 2,73% or 45 833 less charges, in comparison with the previous financial year. The crime categories contributing to the increase are contact crimes and other serious crimes. Murder, attempted murder, sexual assault, assault common, fraud, attempted robbery aggravated with a firearm, common robbery, attempted common robbery, rape, attempted burglary business, attempted theft out off/from motor vehicle, contact sexual assault and attempted theft (other) contributed to the underperformance. Complex cases resulted in difficulty to identify suspects (e.g. gang and public violence, as well as domestic violence-related incidents).

Objective statement	Performance indicator	Actual achievement 2016/2017	Actual achievement 2017/2018	Actual achievement 2018/2019	Planned target 2019/2020	Actual achievement 2019/2020	Deviation from planned target to actual achievement 2019/2020	Comment on deviation
Effective investigation of serious crime								The late reporting of cases by victims (lack of forensic evidence to link suspects to the crime). Alcohol-related cases result in poor to no recollection of incidents, including crime scenes. Crimes committed by minor offenders are becoming more prevalent, resulting in a slower turnaround time. Turnaround time on the finalisation of a decision on case dockets. Inability of complainants to identify suspects (e.g. due to intoxication, mental incapacity, disguised suspects). Long outstanding Toxicology Reports (between one and 10 years). Difficulty in tracing and arrest of unidentified and undocumented repeat offenders (forensic leads and linkages). A shortage of specialised skills required to investigate fraud cases.

Objective statement	Performance indicator	Actual achievement 2016/2017	Actual achievement 2017/2018	Actual achievement 2018/2019	Planned target 2019/2020	Actual achievement 2019/2020	Deviation from planned target to actual achievement 2019/2020	Comment on deviation
	Trial-ready case docket rate for serious crimes	Trial-ready rate of 84,21% (313 981 from a total of 372 835) for serious crimes.	Trial-ready rate of 84,41% (322 217 from a total of 381 721) for serious crimes.	Trial-ready rate of 89,92% (359 861 from a total of 400 217) for serious crimes.	84,34%	Trial-ready rate of 93,26% (363 899 from a total of 390 195) for serious crimes.	8,92% points	Target achieved. The conducting of performance improvement and compliance inspections at identified underperforming police stations, to ensure that case dockets are fully investigated, which can be used by the NPA to proceed with the trial of an offender(s), on charge(s) linked to the case docket.

ANNUAL PERFORMANCE INDICATORS PLANNED TARGETS AND ACTUAL ACHIEVEMENTS

SUBPROGRAMME: CRIME INVESTIGATIONS

Table 8: Actual performance against targets

Objective statement	Performance indicator	Actual achievement 2016/2017	Actual achievement 2017/2018	Actual achievement 2018/2019	Planned target 2019/2020	Actual achievement 2019/2020	Deviation from planned target to actual achievement 2019/2020	Comment on deviation
Effective investigation of serious crime	Detection rate for contact crimes	Detection rate of 52,28% (407 349 from a total of 779 149).	Detection rate of 51,12% (391 528 from a total of 765 846).	Detection rate of 50,58% (401 222 from a total of 793 213).	55,22%	Detection rate of 49,13% (395 255 from a total of 804 478).	-6,09% points	Target not achieved. Offences within the contact crime category increased, by 0,72% or 4 442 more charges reported, in comparison with the previous financial year. Murder, attempted murder, sexual assault, assault common, attempted robbery aggravated with a firearm, common robbery, attempted common robbery, rape and contact sexual assault contributed to the underperformance. Inability of complainants to identify suspects (e.g. due to intoxication, mental incapacity, disguised suspects). Long outstanding Toxicology Reports (between one and 10 years).

Objective statement	Performance indicator	Actual achievement 2016/2017	Actual achievement 2017/2018	Actual achievement 2018/2019	Planned target 2019/2020	Actual achievement 2019/2020	Deviation from planned target to actual achievement 2019/2020	Comment on deviation
Effective investigation of serious crime								Difficulty in tracing and arrest of unidentified and undocumented repeat offenders (forensic leads and linkages). Complex cases resulted in difficulty to identify suspects (e.g. gang and public violence, as well as domestic violence-related incidents). The late reporting of cases by victims (lack of forensic evidence to link suspects to the crime). Alcohol-related cases result in poor to no recollection of incidents, including crime scenes. Crimes committed by minor offenders are becoming more prevalent, resulting in a slower turnaround time. Turnaround time on the finalisation of a decision on case dockets.

Objective statement	Performance indicator	Actual achievement 2016/2017	Actual achievement 2017/2018	Actual achievement 2018/2019	Planned target 2019/2020	Actual achievement 2019/2020	Deviation from planned target to actual achievement 2019/2020	Comment on deviation
Effective investigation of serious crime	Trial-ready case docket rate for contact crimes	Trial-ready rate of 83,63% (183 087 from a total of 218 922).	Trial-ready rate of 84,19% (190 017 from a total of 225 694).	Trial-ready rate of 90,14% (213 702 from a total of 237 088).	83,79%	Trial-ready rate of 92,94% (227 374 from a total of 244 635).	9,15% points	Target achieved. The conducting of performance improvement and compliance inspections at identified underperforming police stations, to ensure that case dockets are fully investigated, which can be used by the NPA to proceed with the trial of an offender(s), on charge(s) linked to the case docket.
	Detection rate for crimes committed against women 18 years and above (murder, attempted murder, all sexual offences, common assault and assault GBH)	Detection rate of 72,86% (150 007 from a total of 205 879).	Detection rate of 74,29% (143 638 from a total of 193 346).	Detection rate of 73,81% (147 933 from a total of 200 422).	75,10%	Detection rate of 72,92% (144 384 from a total of 198 012).	-2,18% points	Target not achieved. The total number of charges reported decreased, by 1,28% or 2 193 less charges, in comparison with the previous financial year. Murder, attempted rape, sexual assault and contact sexual assault contributed to the underperformance. Inability of complainants to identify suspects (e.g. due to intoxication, mental incapacity, disguised suspects). Turnaround time on the finalisation of a decision on case dockets. Long outstanding Toxicology Reports (between one and 10 years).

Objective statement	Performance indicator	Actual achievement 2016/2017	Actual achievement 2017/2018	Actual achievement 2018/2019	Planned target 2019/2020	Actual achievement 2019/2020	Deviation from planned target to actual achievement 2019/2020	Comment on deviation
Effective investigation of serious crime	Trial-ready case docket rate for crimes committed against women 18 years and above (murder, attempted murder, all sexual offences, common assault and assault GBH)	Trial-ready rate of 82,11% (60 113 form a total of 73 211).	Trial-ready rate of 83,56% (55 329 form a total of 66 215).	Trial-ready rate of 90,08% (63 631 from a total of 70 638).	82,20%	Trial-ready rate of 92,99% (64 708 from a total of 69 584).	10,79% points	Target achieved. The conducting of performance improvement and compliance inspections at identified underperforming police stations, to ensure that case dockets are fully investigated, which can be used by the NPA to proceed with the trial of an offender(s), on charge(s) linked to the case docket.
	Detection rate for crimes committed against children under 18 years (murder, attempted murder, all sexual offences, common assault and assault GBH)	Detection rate of 69,91% (39 629 from a total of 56 684).	Detection rate of 69,90% (38 298 from a total of 54 786).	Detection rate of 69,19% (40 807 from a total of 58 975).	70,05%	Detection rate of 66,14% (38 047 from a total of 57 529).	-3,91% points	Target not achieved. The total number of charges reported decreased, by 2,99% or 1 399 less charges, in comparison with the previous financial year. Inability of complainants to identify suspects (e.g. due to intoxication, mental incapacity, disguised suspects). Turnaround time on the finalisation of a decision on case dockets.

Objective statement	Performance indicator	Actual achievement 2016/2017	Actual achievement 2017/2018	Actual achievement 2018/2019	Planned target 2019/2020	Actual achievement 2019/2020	Deviation from planned target to actual achievement 2019/2020	Comment on deviation
Effective investigation of serious crime								Shortage of Forensic Social Workers not conversant in specific languages in certain provinces. Crimes committed by minor offenders are becoming more prevalent, resulting in a slower turnaround time. Reports required by the CJS (Criminal Capacity, Intermediary Reports, Department of Social Development Reports and Cape Mental Health Reports), resulted in a slower turnaround time. Children are easily intimidated by suspects and are, therefore, afraid to name the suspects, especially where suspects are relatives.
	Trial-ready case docket rate for crimes committed against children under 18 years (murder, attempted murder, all sexual offences, common assault and assault GBH)	Trial-ready rate of 78,51% (29 681 from a total of 37 806).	Trial-ready rate of 80,17% (27 580 form a total of 34 402).	Trial-ready rate of 86,12% (31 597 from a total of 36 688).	78,65%	Trial-ready rate of 91,36% (31 192 from a total of 34 142).	12,71% points	Target achieved. The conducting of performance improvement and compliance inspections at identified underperforming police stations, to ensure that case dockets are fully investigated, which can be used by the NPA to proceed with the trial of an offender(s), on charge(s) linked to the case docket.

Objective statement	Performance indicator	Actual achievement 2016/2017	Actual achievement 2017/2018	Actual achievement 2018/2019	Planned target 2019/2020	Actual achievement 2019/2020	Deviation from planned target to actual achievement 2019/2020	Comment on deviation
Effective investigation of serious crime	Detection rate for contact-related crimes	New performance indicator, in 2017/2018.	Detection rate of 48,06% (63 706 from a total of 132 564).	Detection rate of 49,81% (66 986 from a total of 134 483).	47,70%	Detection rate of 50,31% (64 886 from a total of 128 983).	2,61% points	Target achieved. Case dockets where the suspects are known/identified and the availability of forensic leads, such as fingerprints, are effectively investigated before the court process. Continuous engagement in case-flow management and Enhancement Efficiency Committee meetings for prompt decisions on contact-related cases, led to the successful detection of reported cases.
	Trial-ready case docket rate for contact-related crimes	New performance indicator, in 2018/2019.	New performance indicator, in 2018/2019.	Trial-ready rate of 92,76% (22 842 from a total of 24 625).	87,25%	Trial-ready rate of 94,99% (24 473 from a total of 25 764).	7,74% points	Target achieved. The conducting of performance improvement and compliance inspections at identified underperforming police stations, to ensure that case dockets are fully investigated, which can be used by the NPA to proceed with the trial of an offender(s), on charge(s) linked to the case docket.

Objective statement	Performance indicator	Actual achievement 2016/2017	Actual achievement 2017/2018	Actual achievement 2018/2019	Planned target 2019/2020	Actual achievement 2019/2020	Deviation from planned target to actual achievement 2019/2020	Comment on deviation
Effective investigation of serious crime	Detection rate for property-related crimes	New performance indicator, in 2017/2018.	Detection rate of 14,74% (92 450 from a total of 627 103).	Detection rate of 15,51% (96 380 from a total of 621 412).	14,75%	Detection rate of 15,67% (92 459 from a total of 590 174).	0,92% points	Target achieved. Case dockets where the suspects are known/identified and the availability of forensic leads, such as fingerprints, are effectively investigated before the court process. Increased linkages of fingerprints. Ensuring that all crime scenes are attended by the LCRC. Linking suspects to outstanding cases. Increased use of CCTV footage.
	Trial-ready case docket rate for property-related crimes	New performance indicator, in 2018/2019.	New performance indicator, in 2018/2019.	Trial-ready rate of 90,89% (43 316 from a total of 47 657).	84,85%	Trial-ready rate of 93,80% (44 900 from a total of 47 869).	8,95% points	Target achieved. The conducting of performance improvement and compliance inspections at identified underperforming police stations, to ensure that case dockets are fully investigated, which can be used by the NPA to proceed with the trial of an offender(s), on charge(s) linked to the case docket.

Objective statement	Performance indicator	Actual achievement 2016/2017	Actual achievement 2017/2018	Actual achievement 2018/2019	Planned target 2019/2020	Actual achievement 2019/2020	Deviation from planned target to actual achievement 2019/2020	Comment on deviation
Effective investigation of serious crime	Detection rate for other serious crimes	New performance indicator, in 2017/2018	Detection rate of 36,15% (200 206 from a total of 553 787).	Detection rate of 36,16% (207 086 from a total of 572 695).	36,80%	Detection rate of 35,90% (199 120 from a total of 554 590).	-0,90% points	Target not achieved. The total number of charges reported decreased, by 4,36% or 19 465 less charges, in comparison with the previous financial year. Fraud is the main contributing offence causing the underperformance. The number of charges increased with 35. Inadequate specialisation in fraud-related investigations. Investigations are delayed, due to statements required from external stakeholders. This type of investigation is complex and requires skilled investigators.
	Trial-ready case docket rate for other serious crimes	New performance indicator, in 2018/2019.	New performance indicator, in 2018/2019.	Trial-ready rate of 88,06% (80 001 from a total of 90 847).	84,75%	Trial-ready rate of 93,36% (67 152 from a total of 71 927).	8,61% points	Target achieved. The conducting of performance improvement and compliance inspections at identified underperforming police stations, to ensure that case dockets are fully investigated, which can be used by the NPA to proceed with the trial of an offender(s), on charge(s) linked to the case docket.

Objective statement	Performance indicator	Actual achievement 2016/2017	Actual achievement 2017/2018	Actual achievement 2018/2019	Planned target 2019/2020	Actual achievement 2019/2020	Deviation from planned target to actual achievement 2019/2020	Comment on deviation
Effective investigation of serious crime	Detection rate for criminal and violent conduct during public protests	Detection rate of 44,55% (1 308 from a total of 2 936).	Detection rate of 42,73% (1 235 from a total of 2 890).	Detection rate of 48,23% (1 626 from a total of 3 371).	44,70%	Detection rate of 46,91% (1 245 from a total of 2 654).	2,21% points	Target achieved. Focused investigations supported by established teams, specifically dealing with public protest action-related cases. The utilisation of video footage during public protest incidents assist in the identification and the apprehension of suspects.
	Trial-ready case docket rate for criminal and violent conduct during public protests	Trial-ready rate of 84,07% (918 from a total of 1 092).	Trial-ready rate of 86,36% (981 from a total of 1 136).	Trial-ready rate of 92,81% (1 265 from a total of 1 363).	86,00%	Trial-ready rate of 95,63% (1 334 from a total of 1 395).	9,63% points	Target achieved. The conducting of performance improvement and compliance inspections at identified underperforming police stations, to ensure that case dockets are fully investigated, which can be used by the NPA to proceed with the trial of an offender(s), on charge(s) linked to the case docket.

Objective statement	Performance indicator	Actual achievement 2016/2017	Actual achievement 2017/2018	Actual achievement 2018/2019	Planned target 2019/2020	Actual achievement 2019/2020	Deviation from planned target to actual achievement 2019/2020	Comment on deviation
Effective investigation of serious crime	Detection rate for serious crimes at the identified 30 high crime weight stations	New performance indicator, in 2019/2020.	New performance indicator, in 2019/2020.	New performance indicator, in 2019/2020.	37,65%	Detection rate of 30,80% (83 627 from a total of 271 515).	-6,85% points	Target not achieved. The following police stations contributed to the underperformance: Alexandra, Durban Central, Empangeni, Harare, Hillbrow, Honeydew, Inanda, Ivory Park, Jeppe, Johannesburg Central, Khayelitsha, Kraaifontein, Mamelodi East, Mfuleni, Mitchells Plain, Nyanga, Park Road, Plessislaer, Pretoria Central, Rietgat, Tembisa and Witbank. Complex cases resulted in difficulty to identify suspects (e.g. gang and public violence, as well as domestic violence-related incidents). The late reporting of cases by victims (lack of forensic evidence to link suspects to the crime). Alcohol-related cases result in poor to no recollection of incidents, including crime scenes. Crimes committed by minor offenders are becoming more prevalent, resulting in a slower turnaround time.

Objective statement	Performance indicator	Actual achievement 2016/2017	Actual achievement 2017/2018	Actual achievement 2018/2019	Planned target 2019/2020	Actual achievement 2019/2020	Deviation from planned target to actual achievement 2019/2020	Comment on deviation
Effective investigation of serious crime								Turnaround time on the finalisation of a decision on case dockets. Inability of complainants to identify suspects (e.g. due to intoxication, mental incapacity, disguised suspects). Long outstanding Toxicology Reports (between one and 10 years). Difficulty in tracing and arrest of unidentified and undocumented repeat offenders (forensic leads and linkages).
	Trial-ready case docket rate for serious crimes at the identified 30 high crime weight stations	New performance indicator, in 2019/2020.	New performance indicator, in 2019/2020.	New performance indicator, in 2019/2020.	86,92%	Trial-ready rate of 93,48% (41 844 from a total of 44 762).	6,56% points	Target achieved. The conducting of performance improvement and compliance inspections at identified underperforming police stations, to ensure that case dockets are fully investigated, which can be used by the NPA to proceed with the trial of an offender(s), on charge(s) linked to the case docket.

Objective statement	Performance indicator	Actual achievement 2016/2017	Actual achievement 2017/2018	Actual achievement 2018/2019	Planned target 2019/2020	Actual achievement 2019/2020	Deviation from planned target to actual achievement 2019/2020	Comment on deviation
Effective investigation of serious crime	Detection rate for contact crimes at the identified 30 high crime weight stations	New performance indicator, in 2019/2020.	New performance indicator, in 2019/2020.	New performance indicator, in 2019/2020.	55,96%	Detection rate of 36,92% (47 150 from a total of 127 711).	-19,04% points	Target not achieved. The following police stations contributed to the underperformance: Alexandra, Delft, Dobsonville, Durban Central, Eldorado Park, Empangeni, Harare, Hillbrow, Honeydew, Inanda, Ivory Park, Jeppe, Johannesburg Central, Kagiso, Khayelitsha, Kraaifontein, Mamelodi East, Mfuleni, Mitchells Plain, Moroka, Nyanga, Park Road, Plessislaer, Pretoria Central, Rietgat, Temba, Tembisa, Umlazi and Witbank. Inability of complainants to identify suspects (e.g. due to intoxication, mental incapacity, disguised suspects). Long outstanding Toxicology Reports (between one and 10 years). Difficulty in tracing and arrest of unidentified and undocumented repeat offenders (forensic leads and linkages).

ANNEXURE IP17 618

Objective statement	Performance indicator	Actual achievement 2016/2017	Actual achievement 2017/2018	Actual achievement 2018/2019	Planned target 2019/2020	Actual achievement 2019/2020	Deviation from planned target to actual achievement 2019/2020	Comment on deviation
Effective investigation of serious crime								Complex cases resulted in difficulty to identify suspects (e.g. gang and public violence, as well as domestic violence-related incidents). The late reporting of cases by victims (lack of forensic evidence to link suspects to the crime). Alcohol-related cases result in poor to no recollection of incidents, including crime scenes. Crimes committed by minor offenders are becoming more prevalent, resulting in a slower turnaround time.
	Trial-ready case docket rate for contact crimes at the identified 30 high crime weight stations	New performance indicator, in 2019/2020.	New performance indicator, in 2019/2020.	New performance indicator, in 2019/2020.	87,92%	Trial-ready rate of 92,48% (26 676 from a total of 28 846).	4,56% points	Target achieved. The conducting of performance improvement and compliance inspections at identified underperforming police stations, to ensure that case dockets are fully investigated, which can be used by the NPA to proceed with the trial of an offender(s), on charge(s) linked to the case docket.

ANNEXURE IP17 619

Objective statement	Performance indicator	Actual achievement 2016/2017	Actual achievement 2017/2018	Actual achievement 2018/2019	Planned target 2019/2020	Actual achievement 2019/2020	Deviation from planned target to actual achievement 2019/2020	Comment on deviation
Effective investigation of serious crime	Percentage reduction in outstanding wanted persons already circulated at the identified 30 high crime weight stations	New performance indicator, in 2019/2020.	New performance indicator, in 2019/2020.	New performance indicator, in 2019/2020.	10,00%	15,87% (7 139 from a total of 44 974).	5,87% points	Target achieved. Increased utilisation of the PIVA System. Enhanced profiling of suspects. Implementation of the Bail Defence Strategy. Biweekly tracing operations conducted. Purification of the list of wanted suspects.

STRATEGIC PERFORMANCE INDICATORS, PLANNED TARGETS AND ACTUAL ACHIEVEMENTS

SUBPROGRAMMES: CRIMINAL RECORD CENTRE AND FORENSIC SCIENCE LABORATORY

Table 9: Actual performance against targets

Objective statement	Performance indicator	Actual achievement 2016/2017	Actual achievement 2017/2018	Actual achievement 2018/2019	Planned target 2019/2020	Actual achievement 2019/2020	Deviation from planned target to actual achievement 2019/2020	Comment on deviation
Subprogramme: Criminal Record Centre								
Improve the processing of fingerprint searches and maintenance of criminal records	Percentage of original previous conviction reports generated	97,89% (1 178 912 from a total of 1 204 379) of original previous conviction reports generated, within 15 calendar days.	97,92% (1 185 210 from a total of 1 210 422) of original previous conviction reports generated, within 15 calendar days.	98,22% (1 117 190 from a total of 1 137 455) of original previous conviction reports generated, within 15 calendar days.	95,00% original previous conviction reports generated within 15 calendar days	96,85% (1 029 250 from a total of 1 062 717) of original previous conviction reports generated within 15 calendar days.	1,85% points	Target achieved. The implementation of effective workflow processes.
Subprogramme: Forensic Science Laboratory								
Enhance the processing of Forensic Evidence case exhibits (entries)	Percentage of registered case exhibits (entries) exceeding the prescribed time frame	1,36% (9 849 from a total of 724 854) case exhibits (entries) not yet finalised, exceeding the prescribed time frames.	1,12% (7 164 from a total of 639 745) case exhibits (entries) not yet finalised, exceeding the prescribed time frames.	2,49% (10 609 from a total of 426 797) case exhibits (entries) not yet finalised exceeding prescribed time frames.	Backlog not exceeding 10,00% of case exhibits (entries) registered	27,06% (98 238 from a total of 362 979) case exhibits (entries) not yet finalised exceeding prescribed time frames.	-17,06% points	Target not achieved. Procurement bids cannot be advertised without a certificate confirming the availability of funds. The operational/baseline budget is inadequate, resulting in procurement to be facilitated through the quotation process.

ANNUAL PERFORMANCE INDICATORS PLANNED TARGETS AND ACTUAL ACHIEVEMENTS

SUBPROGRAMMES: CRIMINAL RECORD CENTRE AND FORENSIC SCIENCE LABORATORY

Table 10: Actual performance against targets

Objective statement	Performance indicator	Actual achievement 2016/2017	Actual achievement 2017/2018	Actual achievement 2018/2019	Planned target 2019/2020	Actual achievement 2019/2020	Deviation from planned target to actual achievement 2019/2020	Comment on deviation
Subprogramme: Criminal Record Centre								
Improve the processing of fingerprint searches and maintenance of criminal records	Percentage of results of trial updated, in respect of the following:							
	Guilty verdict	New performance indicator, in 2017/2018.	97,94% (326 583 from a total of 333 451) of results of trial (guilty) updated, within 20 calendar days.	97,95% (272 326 from a total of 278 019) of results of trial (guilty) updated, within 20 calendar days.	95,00% of results of trial (guilty) updated within 20 calendar days	89,85% (223 237 from a total of 248 449) of results of trial (guilty) updated within 20 calendar days.	-5,15% points	Target not achieved. The ageing of Automatic Fingerprints Identification System (AFIS) Hardware had a negative impact in the finalisation rate, due to the fact that it is regularly down. In addition the System does not have spare parts as backup.
	Not guilty verdict	New performance indicator, in 2017/2018.	98,44% (965 884 from a total of 981 205) of results of trial (not guilty/ withdrawn) updated, within 20 calendar days.	98,39% (957 449 from a total of 973 089) of results of trial (not guilty/ withdrawn) updated, within 20 calendar days.	95,00% of results of trial (not guilty/ withdrawn) updated within 20 calendar days	90,44% (1 024 306 from a total of 1 132 568) of results of trial (not guilty/ withdrawn) updated within 20 calendar days.	-4,56% points	Target not achieved. The ageing of AFIS Hardware had a negative impact in the finalisation rate, due to the fact that it is regularly down. In addition the system does not have spare parts as backup.

Objective statement	Performance indicator	Actual achievement 2016/2017	Actual achievement 2017/2018	Actual achievement 2018/2019	Planned target 2019/2020	Actual achievement 2019/2020	Deviation from planned target to actual achievement 2019/2020	Comment on deviation
Subprogramme: Forensic Science Laboratory								
Enhance the processing of Forensic Evidence case exhibits (entries)	Percentage of routine case exhibits (entries) finalised	72,09% (170 909 from a total of 237 072), within 28 working days.	69,53% (164 946 from a total of 237 225), within 28 working days.	71,92% (171 989 from a total of 239 123), within 35 calendar days.	75,00% of routine case exhibits (entries) processed within 35 calendar days	63,75% (122 609 from a total of 192 319), within 35 calendar days.	-11,25% points	Target not achieved. Procurement bids cannot be advertised without a certificate confirming the availability of funds. The operational/baseline budget is inadequate, resulting in procurement to be facilitated through the quotation process.
	Percentage of non-routine case exhibits (entries) finalised	71,84% (4 240 from a total of 5 902), within 75 working days.	75,30% (4 656 from a total of 6 183), within 75 working days.	91,66% (5 034 from a total of 5 492), within 113 calendar days.	70,00% of non-routine case exhibits (entries) processed within 113 calendar days	79,67% (3 794 from a total of 4 762), within 113 calendar days.	9,67% points	Target achieved. The implementation of effective workflow processes. Close management of production by managers.

Objective statement	Performance indicator	Actual achievement 2016/2017	Actual achievement 2017/2018	Actual achievement 2018/2019	Planned target 2019/2020	Actual achievement 2019/2020	Deviation from planned target to actual achievement 2019/2020	Comment on deviation
Enhance the processing of Forensic intelligence case exhibits (entries) focusing on: - Integrated Ballistics Identification System (IBIS) - DNA	Percentage of Ballistics Intelligence (IBIS) case exhibits (entries) finalised	99,12% (34 327 from a total of 34 631), within 28 working days.	97,29% (17 821 from a total of 18 318), within 28 working days.	90,66% (14 213 from a total of 15 677), within 35 calendar days.	95,00% of IBIS case exhibits (entries) finalised within 35 calendar days	84,64% (6 105 from a total of 7 213), within 35 calendar days.	-10,36% points	Target not achieved. Procurement bids cannot be advertised without a certificate confirming the availability of funds. The operational/baseline budget is inadequate, resulting in procurement to be facilitated through the quotation process.
	Percentage of Biology DNA Intelligence case exhibits (entries) finalised	87,62% (367 791 from a total of 419 765), within 63 working days.	95,16% (365 593 from a total of 384 182), within 63 working days.	79,58% (129 944 from a total of 163 278), within 90 calendar days.	80,00% of DNA intelligence case exhibits (entries) processed within 90 calendar days	59,87% (29 152 from a total of 48 694), within 63 calendar days.	-20,13% points	Target not achieved. Procurement bids cannot be advertised without a certificate confirming the availability of funds. The operational/baseline budget is inadequate, resulting in procurement to be facilitated through the quotation process.

SERVICE DELIVERY ACHIEVEMENTS

DETECTIVE SERVICE

- Manages and secures the investigation of crime at police station level.
- The effective and efficient investigation of crimes against women and children and the rendering of forensic social work support.
- The effective and efficient investigation of the movement of stolen vehicles crossing South Africa's borders and the conducting of operations relating to the repartriation of recovered vehicles.
- The effective investigation and detection of stock theft.
- The conducting of executive bilateral operations with SARPCCO member countries and internal disruptive operations targeting stolen vehicle routes to other SARPCCO member countries.
- The effective investigation of allocated/instructed case docket, including follow-home robberies.
- The effective investigation of commercial crime, organised crime and corruption, outside the mandate of the DPCI.
- The tracing of suspects circulated as wanted.
- Investigative support to members, tasked with investigations into the disappearance of persons.
- The effective investigation of occult-related crimes.
- The transmitting of tip-offs received through the Crime Stop Centre.

SUBPROGRAMME: CRIME INVESTIGATIONS

The detection of crime is the process that the SAPS undertakes, which extends from the time that the SAPS becomes aware of a crime and where a case docket is subsequently opened for investigation. This extends to the time that a suspect has been arrested and charged on the Crime Administration System (CAS)/ICDMS or the case docket has been closed off as unfounded or as withdrawn before court. This process will include the utilisation of recognised investigative aids and the services of other divisions, within the SAPS and role players. The calculation for the detection rate is the total number of charges referred to court (column 3), added to charges withdrawn before court (column 4), plus charges closed as unfounded (column 6), divided by the total number of charges reported (column 1) and brought forward (column 2), expressed as a percentage. A trial-ready case docket is a fully investigated case docket, whether it includes one or more charges (investigation finalised), which can be used by the NPA for the purpose of proceeding with a trial of an offender(s), on charge(s) linked to the case docket. Fully investigated, means that there is no outstanding information that requires further investigation by a detective and that all evidence (e.g. statements, specialist reports, etc.) has been obtained.

Performance management

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Total number of charges reported	**Charges brought forward**	**Charges to court**	**Charges withdrawn before court**	**Closed as unfounded/ false**	**Charges outstanding in court**
(When an incident of crime is reported, a case is opened on the CAS and a unique CAS number is allocated to the case. However, a case docket may have more than one charge being investigated against an alleged offender/s. For this reason, more than one charge may be indicated on the Crime Management Information System).	(The number of charges that were carried forward from the previous year and where the investigation is still pending).	(The number of charges where an arrest was made and the suspect was sent to court, in that specific year. Arrest means the actual detention of the suspect or the issuing of a summons to appear in court).	(Charges sent to the NPA for a decision to be made whether to prosecute or not. Charges may be withdrawn for the following reasons: the victim is unwilling to continue with the case; the crime is trivial in nature; the prosecutor is of the opinion that there is no prospect of a successful prosecution; and witnesses/ complainants cannot be traced.	(When it is evident from the investigation that no offence has been committed, e.g., when it is alleged that goods have been stolen and the investigation proves that the goods were merely misplaced, the case docket is closed as unfounded/ false or is a civil matter).	(Refers to cases that are still on the court roll, but have not yet been finalised (e.g. outstanding investigation/ reports and/or court processes).

EFFECTIVE INVESTIGATION OF SERIOUS CRIME

The total number of charges reported for all serious crimes combined, decreased with 45 833 (2,73%), in comparison with the same period, in the 2018/2019 financial year. Property-related crimes decreased with 25 750 (5,17%), other serious crimes with 19 465 (4,36%) and contact-related crimes with 5 060 (4,30%). Contact crimes increased with 4 442 (0,72%). The detection rate decreased, by 0,20% to 36,17%. Contact crimes decreased, by 1,45% to 49,13% and other serious crimes, by 0,26% to 35,90%. Contact-related crimes increased, by 0,50% to 50,31% and property-related crimes, by 0,16% to 15,67%. The trial-ready case docket rate increased, by 3,34% to 93,26%. Other serious crimes increased, by 5,30% to 93,36%, property-related crimes, by 2,91% to 93,80%, contact crimes, by 2,80% to 92,94% and contact-related crimes, by 2,23% to 94,99%.

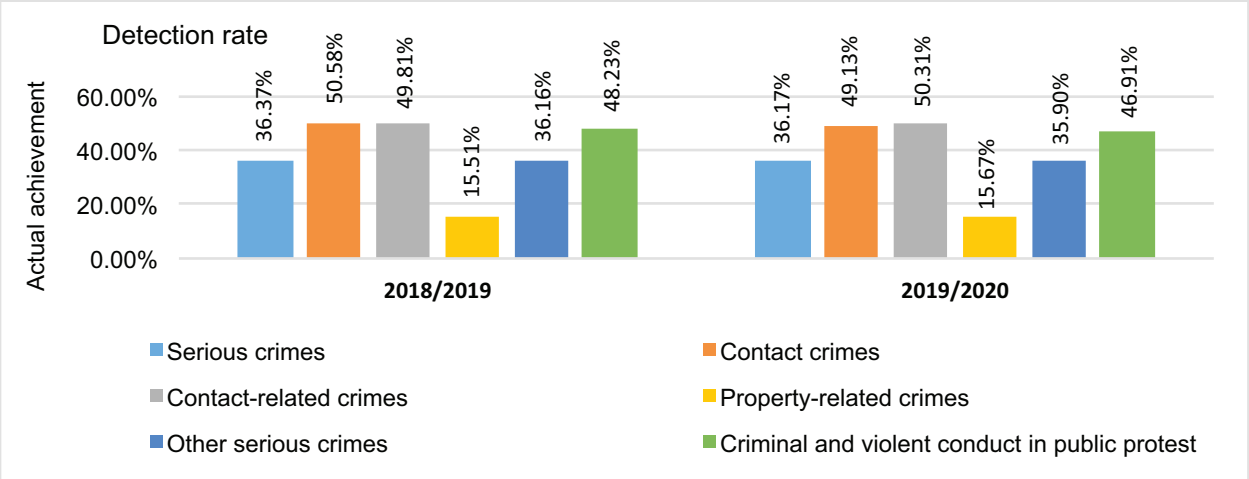
The total number of charges reported for contact crimes (crimes against the person), increased with 4 442 (0,72%), in comparison with the same period, in the 2018/2019 financial year. Robbery with aggravating circumstances increased with 4 174 (2,98%), assault common with 3 467 (2,14%), sexual offences with 841 (1,59%), murder with 450 (2,15%) and common robbery with 6 (0,01%). Assault GBH decreased with 4 239 (2,48%) and attempted murder with 257 (1,36%). The detection rate decreased, by 1,45% to 49,13%. Common assault decreased, by 2,17% to 70,68%, attempted murder, by 1,93% to 34,75%, murder by 1,67% to 19,27%, common robbery by 1,22% to 26,27%, assault GBH, by 1,12% to 75,86%, sexual offences, by 0,88% to 62,19% and robbery with aggravating circumstances, by 0,12% to 16,91%. The trial-ready case docket rate increased, by 2,80% to 92,94%. Sexual offences increased, by 4,12% to 90,40%, assault common, by 2,81% to 93,86%, attempted murder, by 2,68% to 91,25%, murder, by 2,62% to 92,02%, assault GBH, by 2,39% to 94,83%, robbery with aggravating circumstances, by 2,11% to 92,11% and common robbery, by 2,05% to 95,25%.

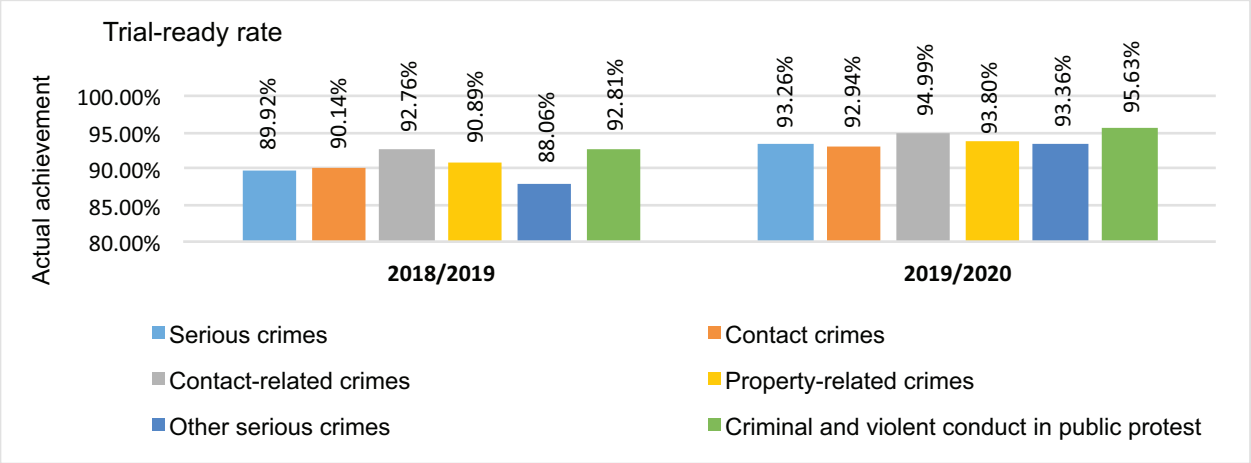
The total number of charges reported for contact-related crimes, decreased with 5 060 (4,30%), in comparison with the same period, in the 2018/2019 financial year. Malicious damage to property decreased with 4 765 (4,19%) and arson with 295 (7,12%). The detection rate increased, by 0,50% to 50,31%. Malicious damage to property increased, by 0,55% to 50,54%. Arson decreased, by 0,97% to 44,43%. The trial-ready case docket rate increased, by 2,23% to 94,99%. Arson increased, by 2,54% to 95,86% and malicious damage to property, by 2,22% to 94,94%.

The total number of charges reported for property-related crimes, decreased with 25 750 (5,17%), in comparison with the same period in the 2018/2019 financial year. Burglary (houses) decreased with 14 841 (6,72%), theft out off/from motor vehicle with 6 824 (5,45%), burglary (business) with 1 460 (2,05%), theft of motor vehicle and motor cycle with 1 411 (2,92%) and theft of all stock with 1 214 (3,77%). The detection rate increased, by 0,16% to 15,67%. Burglary (houses) increased, by 0,44% to 18,74%, theft of all stock, by 0,17% to 28,17%, burglary (business), by 0,10% to 16,49% and theft of motor vehicle and motor cycle, by 0,03% to 7,51%. Theft out off/from motor vehicle decreased, by 0,25% to 10,76%. The trial-ready case docket rate increased, by 2,91% to 93,80%. Theft of all stock increased by 4,74% to 95,21%, theft of motor vehicle and motor cycle by 4,55% to 86,30%, burglary (business), by 2,75% to 94,91%, burglary (houses), by 2,47% to 94,56% and theft out off/from motor vehicle, by 2,37% to 95,16%.

The total number of charges reported for other serious crimes, decreased with 19 465 (4,36%), in comparison with the same period, in the 2018/2019 financial year. Theft (other) decreased with 19 220 (6,37%) and shoplifting with 280 (0,47%). Fraud increased with 35 (0,04%). The detection rate decreased, by 0,26% to 35,90%. Fraud decreased, by 2,27% to 27,56%. Theft (other) increased, by 0,19% to 28,41% and shoplifting, by 0,04% to 99,81%. The trial-ready case docket rate increased, by 5,30% to 93,36%. Fraud increased, by 8,20% to 87,32%, theft (other), by 2,23% to 94,32% and shoplifting, by 2,04% to 95,88%.

The total number of charges reported for criminal and violent conduct in public protest, decreased with 675 (23,34%), in comparison with the same period, in the 2018/2019 financial year. The detection rate decreased, by 0,01% to 46,91% and the trial-ready case docket rate increased, by 0,03% to 95,63%.




Trial-ready rate
Actual achievement
100.00%
95.00%
90.00%
85.00%
80.00%
89.92%
90.14%
92.76%
90.89%
88.06%
92.81%
93.26%
92.94%
94.99%
93.80%
93.36%
95.63%
2018/2019
2019/2020
Serious crimes
Contact crimes
Contact-related crimes
Property-related crimes
Other serious crimes
Criminal and violent conduct in public protest

Detection and trial-ready case docket rate for serious crimes and criminal and violent conduct in public protests

Priority crimes (12 month data) – 1 April 2019 to 31 March 2020														
Crime Category	Total number of complaints reported				Total number of complaints incomplete				% Detection rate			% Complaints trial-ready		
	18/19	19/20	Diff	% Diff	18/19	19/20	Diff	% Diff	18/19	19/20	% Diff	18/19	19/20	% Diff
Contact crimes (crimes against the person)														
Murder	20 906	21 356	450	**2,15%**	37 741	41 118	3 377	**8,95%**	12 279 (20,94%)	12 041 (19,27%)	**-1,67%**	28 771 (89,40%)	30 627 (92,02%)	**2,62%**
Attempted murder	18 927	18 670	-257	**-1,36%**	10 843	11 638	795	**7,33%**	10 919 (36,68%)	10 532 (34,75%)	**-1,93%**	10 653 (88,57%)	10 851 (91,25%)	**2,68%**
Robbery aggravating	139 916	144 090	4 174	**2,98%**	54 711	53 898	-813	**-1,49%**	33 138 (17,03%)	33 477 (16,91%)	**-0,12%**	29 998 (90,00%)	31 292 (92,11%)	**2,11%**
Common robbery	51 860	51 866	6	**0,01%**	9 898	10 545	647	**6,54%**	16 976 (27,49%)	16 395 (26,27%)	**-1,22%**	8 782 (93,20%)	9 052 (95,25%)	**2,05%**
Assault GBH	171 072	166 833	-4 239	**-2,48%**	20 124	20 630	506	**2,51%**	147 192 (76,98%)	142 212 (75,86%)	**-1,12%**	61 333 (92,44%)	66 100 (94,83%)	**2,39%**
Assault common	162 155	165 622	3 467	**2,14%**	26 995	28 929	1 934	**7,16%**	137 787 (72,85%)	137 514 (70,68%)	**-2,17%**	35 922 (91,05%)	39 452 (93,86%)	**2,81%**
Sexual offences	52 957	53 798	841	**1,59%**	15 108	15 485	377	**2,50%**	42 931 (63,07%)	43 084 (62,19%)	**-0,88%**	38 243 (86,28%)	40 000 (90,40%)	**4,12%**
Total	**617 793**	**622 235**	**4 442**	**0,72%**	**175 420**	**182 243**	**6 823**	**3,89%**	**401 222 (50,58%)**	**395 255 (49,13%)**	**-1,45%**	**213 702 (90,14%)**	**227 374 (92,94%)**	**2,80%**
Contact-related crimes (crimes against property)														
Arson	4 145	3 850	-295	**-7,12%**	1 271	1 187	-84	**-6,61%**	2 459 (45,40%)	2 238 (44,43%)	**-0,97%**	1 370 (93,32%)	1 435 (95,86%)	**2,54%**
Malicious damage to property	113 618	108 853	-4 765	**-4,19%**	15 449	15 093	-356	**-2,30%**	64 527 (49,99%)	62 648 (50,54%)	**0,55%**	21 472 (92,72%)	23 038 (94,94%)	**2,22%**
Total	**117 763**	**112 703**	**-5 060**	**-4,30%**	**16 720**	**16 280**	**-440**	**-2,63%**	**66 986 (49,81%)**	**64 886 (50,31%)**	**0,50%**	**22 842 (92,76%)**	**24 473 (94,99%)**	**2,23%**
Property-related crimes														
Burglary (business)	71 222	69 762	-1 460	**-2,05%**	15 627	14 967	-660	**-4,22%**	14 235 (16,39%)	13 971 (16,49%)	**0,10%**	7 450 (92,16%)	8 031 (94,91%)	**2,75%**
Theft of motor vehicle and motor cycle	48 377	46 966	-1 411	**-2,92%**	32 741	29 520	-3 221	**-9,84%**	6 069 (7,48%)	5 741 (7,51%)	**0,03%**	4 480 (81,75%)	4 743 (86,30%)	**4,55%**
Theft off/from motor vehicle	125 102	118 278	-6 824	**-5,45%**	19 866	20 350	484	**2,44%**	15 968 (11,01%)	14 915 (10,76%)	**-0,25%**	5 744 (92,79%)	5 845 (95,16%)	**2,37%**
Theft of all stock	32 214	31 000	-1 214	**-3,77%**	5 376	5 335	-41	**-0,76%**	10 527 (28,00%)	10 237 (28,17%)	**0,17%**	3 057 (90,47%)	3 163 (95,21%)	**4,74%**
Total	**497 885**	**472 135**	**-25 750**	**-5,17%**	**123 527**	**118 039**	**-5 488**	**-4,44%**	**96 380 (15,51%)**	**92 459 (15,67%)**	**0,16%**	**43 316 (90,89%)**	**44 900 (93,80%)**	**2,91%**

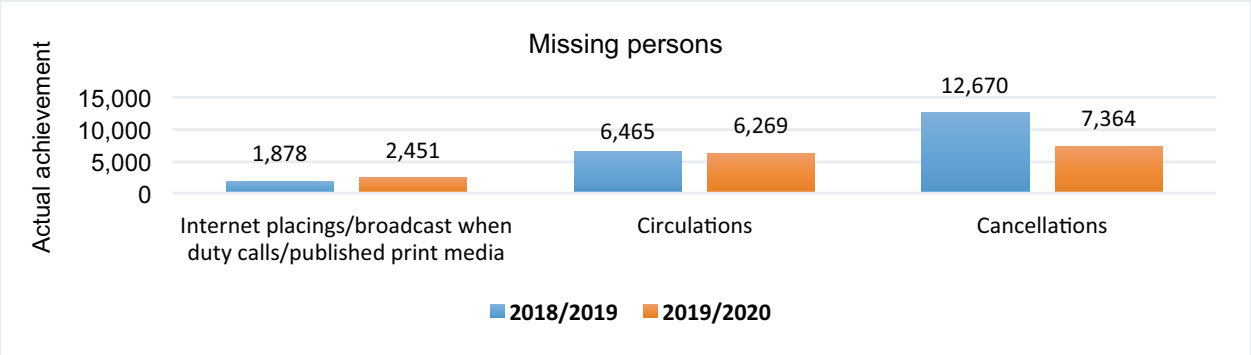
Crime Category	Total number of complaints reported				Total number of complaints incomplete				% Detection rate			% Complaints trial-ready		
	18/19	19/20	Diff	% Diff	18/19	19/20	Diff	% Diff	18/19	19/20	% Diff	18/19	19/20	% Diff
Other serious crimes														
Theft (other)	301 816	282 596	-19 220	**-6,37%**	66 865	65 171	-1 694	**-2,53%**	104 042 (28,22%)	98 788 (28,41%)	**0,19%**	36 240 (92,09%)	33 745 (94,32%)	**2,23%**
Fraud	84 542	84 577	35	**0,04%**	59 163	62 277	3 114	**5,26%**	42 874 (29,83%)	40 475 (27,56%)	**-2,27%**	24 531 (79,12%)	12 795 (87,32%)	**8,20%**
Shoplifting	60 162	59 882	-280	**-0,47%**	147	87	-60	**-40,82%**	60 170 (99,77%)	59 857 (99,81%)	**0,04%**	19 230 (93,84%)	20 612 (95,88%)	**2,04%**
Total	**446 520**	**427 055**	**-19 465**	**-4,36%**	**126 175**	**127 535**	**1 360**	**1,08%**	**207 086 (36,16%)**	**199 120 (35,90%)**	**-0,26%**	**80 001 (88,06%)**	**67 152 (93,36%)**	**5,30%**
All serious crimes combined														
Contact crimes	617 793	622 235	4 442	**0,72%**	175 420	182 243	6 823	**3,89%**	401 222 (50,58%)	395 255 (49,13%)	**-1,45%**	213 702 (90,14%)	227 374 (92,94%)	**2,80%**
Contact-related crimes	117 763	112 703	-5 060	**-4,30%**	16 720	16 280	-440	**-2,63%**	66 986 (49,81%)	64 886 (50,31%)	**0,50%**	22 842 (92,76%)	24 473 (94,99%)	**2,23%**
Property-related crimes	497 885	472 135	-25 750	**-5,17%**	123 527	118 039	-5 488	**-4,44%**	96 380 (15,51%)	92 459 (15,67%)	**0,16%**	43 316 (90,89%)	44 900 (93,80%)	**2,91%**
Other serious crimes	446 520	427 055	-19 465	**-4,36%**	126 175	127 535	1 360	**1,08%**	207 086 (36,16%)	199 120 (35,90%)	**-0,26%**	80 001 (88,06%)	67 152 (93,36%)	**5,30%**
Total	**1 679 961**	**1 634 128**	**-45 833**	**-2,73%**	**441 842**	**444 097**	**2 255**	**0,51%**	**771 674 (36,37%)**	**751 720 (36,17%)**	**-0,20%**	**359 861 (89,92%)**	**363 899 (93,26%)**	**3,34%**
Criminal and violent conduct in public protests														
Public violence	**2 892**	**2 217**	**-675**	**-23,34%**	**479**	**437**	**-42**	**-8,77%**	**1 626 (48,23%)**	**1 245 (46,91%)**	**-0,01**	**1 265 (92,81%)**	**1 334 (95,63%)**	**0,03**

During 2019/2020, a total of 165 555 warrants of arrest for wanted persons were cancelled on the circulation system, compared to 186 985, in 2018/2019, a decrease of 21 430 or 11,46%. Most cancellations were, in the Gauteng (69 589), KwaZulu-Natal (35 072) and the Western Cape (12 195) Provinces.

A total number of 245 Detective Service Centres are implemented in the various provinces, from a total of 383 business units where Detective Service Centres are to be implemented. Most of these Centres are, in the Gauteng (96), KwaZulu-Natal (55) and the Eastern Cape (41) Provinces. These Centres are focused on providing a 24-hour service at police stations. All police stations in all the provinces have a Detective Unit, which provides this service, however, it is not available 24-hours. At police stations where there is no 24-hour service, police station members are placed on standby, to attend to cases that are reported after office hours.

A total number of 368 life sentences were secured for murder, rape, house robbery, kidnapping, business robbery and carjacking charges, against a total of 287 persons.

The Bureau for Missing Persons provides investigative support to members, tasked with investigations into the disappearance of person/s, including people being sought by loved ones, as well as by law enforcement agencies. This support includes the circulation of information and photographs of missing and wanted persons, as well as unidentified bodies, both internally to SAPS members, as well as nationally and internationally, via printed and electronic media and mediums, to the general public. The aim is to encourage communities to come forward with information that may assist investigating officers to find such persons or assist in the identification of bodies, if the identity of the deceased is unknown. The Bureau conducted 27 awareness projects, such as road shows and static displays, in order to educate the general public, especially children, on the missing person's phenomenon in South Africa and initiated 103 Yellow Notice alerts to locate a missing person globally. A total of 2 451 postings were done representing missing children and/or adults, whose information and photographs were placed on the SAPS Internet, MySAPS App, social media (SAPS Facebook, Twitter, and Instagram), newspapers, magazines, When Duty Calls and various television broadcasts. These postings are executed through distribution by various email addresses and do not include printing and distribution of information by private businesses. The end-user prints the poster of the missing person and displays it at his/her shop/place of business.



A total number of 342 requests were received for the broadcasting of wanted persons. A total of 78 were published in the media, e.g. newspapers/magazines and 342 were published on the SAPS Website.

The SAPS and social media giant, Facebook, joined hands to strengthen the tracing of missing children, through the use of the child abduction emergency alert platform, which is commonly known as the Amber Alert, aimed at activating and sending a message of a missing child on Facebook, including photographs and details to alert users to be on the lookout for the reported missing child. South Africa is the first country in Africa to receive this programme and the 23rd in the world. The Amber Alert is used for missing children under the age of 18 years only, when an investigator establishes that the child is at imminent risk of death or serious bodily harm. The South African Amber Alert was launched, on 30 January 2020 and since the launch a total number of seven Amber Alerts were published.

The "MySAPS" Application was launched, in October 2019, in Umlazi, in the KwaZulu-Natal Province. The application was developed by Vodacom SA and allow citizens to submit a crime tip-off anonymously to the SAPS' Crime Stop, via a smartphone. An Unstructured Supplementary Service Data (USSD) Application was also developed for feature phones with no internet access.

Crime Stop provided ongoing support in the investigation, solving and the prevention of crime. On receipt of tip-offs, through a share call number 08600 10111, the MySAPS Application/USSD or electronic media, it is transmitted to the relevant police station or investigating unit for the necessary attention. Successes and the value of the items, which were confiscated, are valuable to the SAPS, as it indicates the value of having this service available to the public. During 2019/2020, a total number of 156 879 in- and outbound calls were dealt with, which resulted in 48 arrests on 52 positive cases, including 18 arrests in 12 positive cases, as a result of tip-offs on the MySAPS Application. The value of items confiscated was R2 190 100.26. A total number of 25 awareness campaigns were conducted, to educate the community of the crime tip-off service, whereby the community can report criminals and their criminal activity while remaining anonymous.

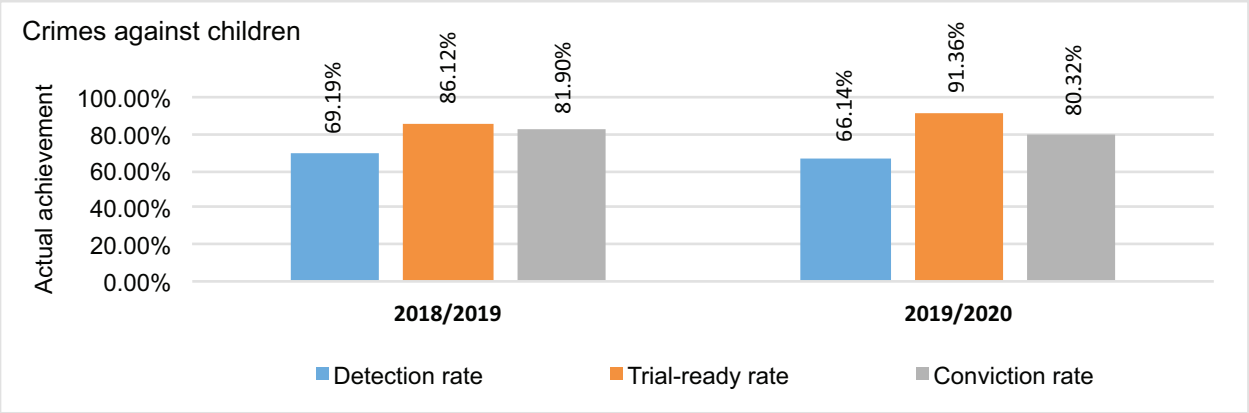
The Detective Service Helpline, launched in January 2016, continued to contribute to the solving of volumes of complex investigative enquiries. The helpline provides support to detectives in need of information about any aspect related to the investigation of crime. Detectives are encouraged to consult the Detective Helpline when in need of support to obtain the correct information during an investigation, to share best investigative practices, should they be in need of legal advice or support, with regard to official directives. The Detective Service Helpline received a total number of 70 enquiries.

Harmful occult-related crimes relate to human conduct that constitutes a crime, the modus operandi, which is related to or emanates primarily from any belief or ostensible belief, in an occult. The main objective of the Harmful Occult-Related Practices Section, is to ensure the effective investigation of harmful occult-related crimes; the prevention of harmful occult-related crimes; and the effective gathering, management, use and dissemination of information on harmful occult-related crimes, in order to meet the legal obligation of the harmful occult-related crimes investigation capacity, in collaboration with Crime Intelligence.

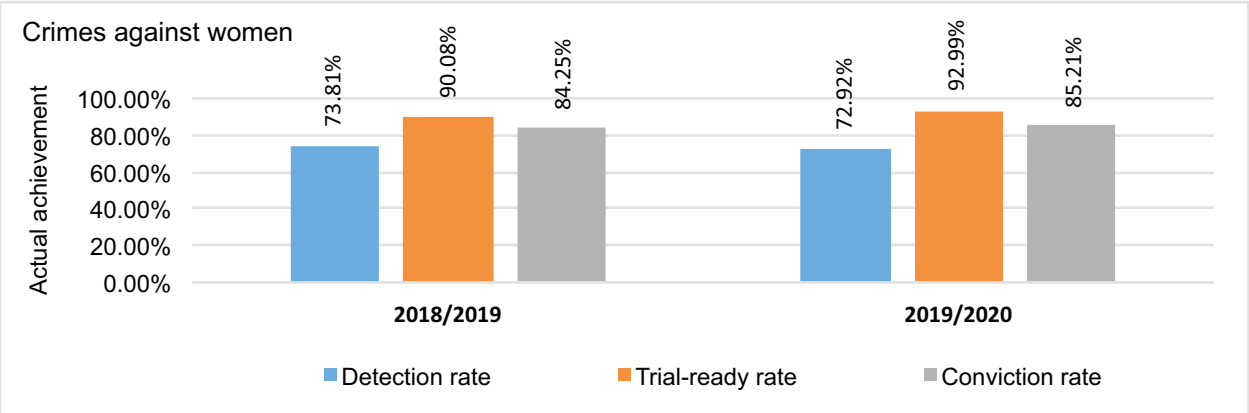
EFFECTIVE INVESTIGATION OF CRIMES AGAINST WOMEN AND CHILDREN

The total number of charges reported for crimes against children (persons younger than 18 years), decreased with 1 399 (2,99%), in comparison with the same period, in the 2018/2019 financial year. Sexual offences decreased with 1 186 (4,96%), attempted murder with 302 (24,34%), murder with

246 (21,47%) and assault GBH with 57 (0,65%). Assault common increased with 392 (3,36%). The detection rate decreased, by 3,05% to 66,14%. Assault common decreased, by 4,31% to 70,45%, sexual offences, by 3,78% to 64,34%, attempted murder, by 2,23% to 39,80%, murder, by 2,00% to 30,31% and assault GBH, by 1,78% to 77,83%. The trial-ready case docket rate increased, by 5,24% to 91,36%. Murder increased, by 5,99% to 90,32%, sexual offences, by 5,72% to 90,77%, attempted murder, by 4,77% to 90,08%, assault GBH, by 3,96% to 93,47% and assault common, by 2,79% to 92,69%.

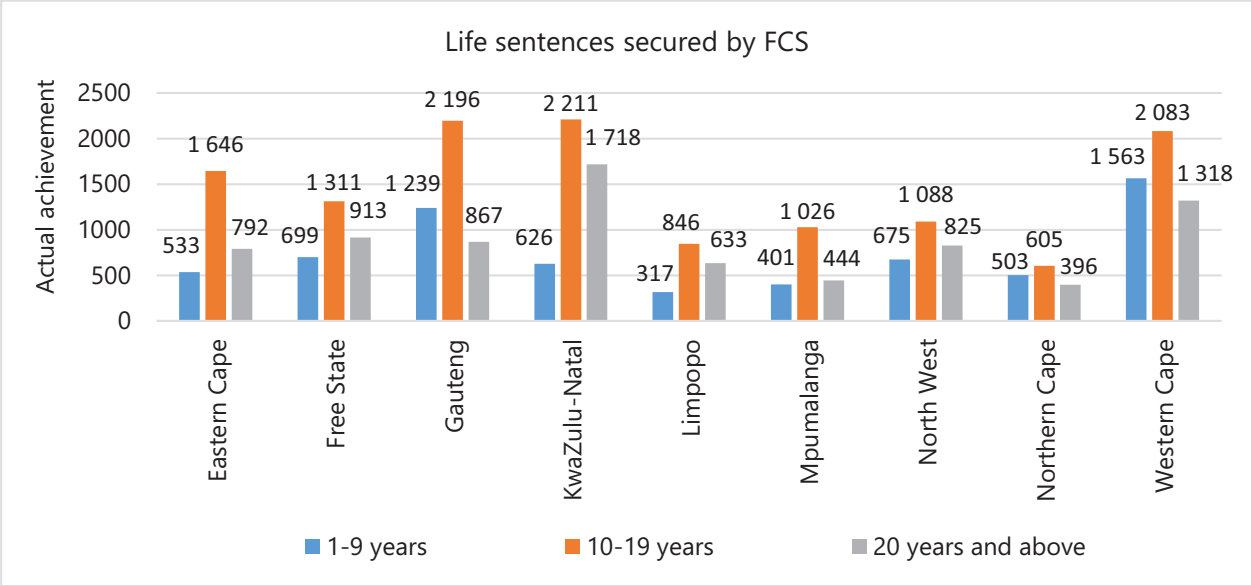


The total number of charges reported for crimes against women (persons older than 18 years), decreased with 2 193 (1,28%), in comparison with the same period, in the 2018/2019 financial year. Assault GBH decreased with 2 262 (4,21%), sexual offences with 685 (2,34%), attempted murder with 404 (11,95%) and murder with 149 (5,39%). Assault common increased with 1 307 (1,58%).The detection rate decreased, by 0,89% to 72,92%. Murder decreased, by 2,55% to 26,84%, assault common, by 1,80% to 77,34%, attempted murder, by 1,41% to 38,95% and assault GBH, by 0,78% to 81,97%. Sexual offences increased, by 0,87% to 60,73%. The trial-ready case docket rate increased, by 2,91% to 92,99%. Murder increased, by 3,78% to 92,30%, sexual offences, by 3,40% to 90,21%, assault common, by 2,69% to 94,23%, assault GBH, by 2,10% to 94,73% and attempted murder, by 1,65% to 91,36%.



A total of 1 203 awareness campaigns, were conducted countrywide, to educate learners at schools, churches and the general community concerning FCS-related crimes, aimed to encourage communities to report such crimes to the SAPS. Furthermore, FCS Units, countrywide, conducted a total of 7 497 suspect tracing operations, which resulted in a total of 11 227 arrests.

A total of 6 556 life sentences were secured for between 1-9 years, against a total of 1 339 accused, 13 012 life sentences for between 10-19 years, against a total of 870 accused and 7 906 life sentences for 20 years and above, against a total of 320 accused.



Forensic Social Work, refers to a specialised field of social work practice that is characterised by the social worker's primary functions of obtaining information from child victims of crime and presenting it in court. The Forensic Social Worker (FSW) acts as a neutral independent fact finder, who tests multiple hypotheses, through techniques that are legally defensible in court. The FSW acts as an expert witness to assist the court in making a just and fair decision. The FSW can explain inconsistencies in the child's disclosure, statement and testimony. In 2019/2020, a total number of 6 587 cases related to children. A total of 9 767 assessment sessions were conducted and 5 061 reports were compiled. A total number of 1 861 statements were obtained.

Detection and trial-ready case docket rate for crimes against women and children

Crimes against women and children (12 month data) – 1 April 2019 to 31 March 2020														
Crime Category	Total number of complaints reported				Total number of complaints incomplete				% Detection rate			% Complaints trial-ready		
	18/19	19/20	DIFF	% Diff	18/19	19/20	DIFF	% Diff	18/19	19/20	% Diff	18/19	19/20	% Diff
Crimes against children (Under the age of 18 years)														
Murder	1 146	900	-246	**-21,47%**	1 494	1 426	-68	**-4,55%**	853 (32,31%)	705 (30,31%)	**-2,00%**	1 927 (84,33%)	1 754 (90,32%)	**5,99%**
Attempted murder	1 241	939	-302	**-24,34%**	703	684	-19	**-2,70%**	817 (42,03%)	646 (39,80%)	**-2,23%**	1 028 (85,31%)	717 (90,08%)	**4,77%**
Assault GBH	8 772	8 715	-57	**-0,65%**	1 275	1 221	-54	**-4,24%**	7 998 (79,61%)	7 733 (77,83%)	**-1,78%**	4 515 (89,51%)	4 894 (93,47%)	**3,96%**
Assault common	11 672	12 064	392	**3,36%**	2 349	2 379	30	**1,28%**	10 482 (74,76%)	10 175 (70,45%)	**-4,31%**	3 375 (89,90%)	3 538 (92,69%)	**2,79%**
Sexual offences	23 899	22 713	-1 186	**-4,96%**	6 424	6 488	64	**1,00%**	20 657 (68,12%)	18 788 (64,34%)	**-3,78%**	20 752 (85,05%)	20 289 (90,77%)	**5,72%**
Total	**46 730**	**45 331**	**-1 399**	**-2,99%**	**12 245**	**12 198**	**-47**	**-0,38%**	**40 807 (69,19%)**	**38 047 (66,14%)**	**-3,05%**	**31 597 (86,12%)**	**31 192 (91,36%)**	**5,24%**
Crimes against women (Persons 18 years and older)														
Murder	2 763	2 614	-149	**-5,39%**	4 065	4 080	15	**0,37%**	2 007 (29,39%)	1 797 (26,84%)	**-2,55%**	4 193 (88,52%)	4 037 (92,30%)	**3,78%**
Attempted murder	3 380	2 976	-404	**-11,95%**	1 833	1 833	0	**0,00%**	2 104 (40,36%)	1 873 (38,95%)	**-1,41%**	2 336 (89,71%)	1 935 (91,36%)	**1,65%**
Assault GBH	53 695	51 433	-2 262	**-4,21%**	4 644	4 652	8	**0,17%**	48 273 (82,75%)	45 974 (81,97%)	**-0,78%**	18 725 (92,63%)	19 702 (94,73%)	**2,10%**
Assault common	82 624	83 931	1 307	**1,58%**	9 218	9 611	393	**4,26%**	72 681 (79,14%)	72 341 (77,34%)	**-1,80%**	18 897 (91,54%)	20 614 (94,23%)	**2,69%**
Sexual offences	29 329	28 644	-685	**-2,34%**	8 871	8 238	-633	**-7,14%**	22 868 (59,86%)	22 399 (60,73%)	**0,87%**	19 480 (86,81%)	18 420 (90,21%)	**3,40%**
Total	**171 791**	**169 598**	**-2 193**	**-1,28%**	**28 631**	**28 414**	**-217**	**-0,76%**	**147 933 (73,81%)**	**144 384 (72,92%)**	**-0,89%**	**63 631 (90,08%)**	**64 708 (92,99%)**	**2,91%**

SPECIFIC CRIME INVESTIGATIONS

During 2019/2020, a total number of 193 694 transactions were performed, by Vehicle Crime Investigation by the National Vehicle Information Control Centre. A total number of 3 166 transactions were finalised for investigating officers, who personally visited the centre, in order to verify circulated stolen vehicles and 5 040 transactions were performed to assist the 51 vehicle clearance offices. A total number of 100 845 circulations was approved to obtain final phase circulation status on the Circulation System (Vehicles).

In 2018/2019, 38 815 livestock (cattle, sheep and goats), with a cash value of R68 714 000.00 was stolen and 8 734, with a cash value of R15 939 550.00 was recovered. A total of 24 stock theft cross-border operations were conducted, during which 120 cattle, 17 sheep, 21 goats and eight horses were recovered.

A total number of 14 corruption, 17 fraud and five theft charges were investigated against 39 SAPS members and four members of the public. Charges which were investigated, included the submission of fraudulent medical certificates, defeating the ends of justice, fraudulent usage of fuel and bank cards, bribery (in order to release vehicles in SAPS 13 stores), the release of suspects in custody and falsification of informer claims. A total of 43 persons were found guilty, 19 persons were dismissed and one was suspended.

The approved Bail Defence Strategy was implemented, in 2019/2020. The purpose of the Strategy is to intensify and accelerate the integrated efforts to opposing bail in deserving cases.

	HIGHLIGHTS
Harmful Occult-related crimes	An African female was murdered, in the Limpopo Province and her body parts were removed. Four suspects were arrested and one was sentenced to life in prison. The case against the three other accused is still pending in High Court. Six underage males were unlawfully circumcised, in the Eastern Cape Province. The victims were rescued by the SAPS and one suspect was arrested and was sentenced to six years in prison. An 18-year-old African male, in the Eastern Cape, was circumcised by an unregistered surgeon, without the consent of his parents. Two suspects were arrested for the unlawful act and were sentenced to two years in prison, suspended for three years.
Vehicle Crime Investigation	The complainant was robbed of his motor vehicle, his wallet and his cellular telephone, at gunpoint, by an unknown male, after parking his motor vehicle in the garage. The accused was convicted and sentenced to 20 years in prison for robbery with a firearm. The complainant was approached by four unknown males, as he was dropping off his friend at her place. They were forced into the back seat of the vehicle at gunpoint, where after they drove with them demanding a bankcard pin number. After the suspects withdrew money the suspects drove around with the victims and dropped them off at a cemetery. The accused were sentenced to 15 years in prison, each. The victim was approached by three unknown males as he parked his vehicle. He was forced out of the vehicle at gunpoint and his assailant demanded the vehicle keys. The suspects drove off with his vehicle. The suspects were arrested after they were found in possession of the robbed vehicle. The accused was found guilty on three counts (pointing with a firearm, carjacking and possession of unlicensed firearm) and sentenced to 33 years in prison.

National Investigation Unit	Members spotted a vehicle with four male occupants and attempted to stop the vehicle. The occupants opened fire on the members, where after they retaliated and managed to stop the vehicle. The four occupants were arrested and three firearms, a Z88 pistol (with no serial number), a 45 calibre pistol (with no serial number) and a Smith and Wesson 28 special revolver and ammunition were seized. The vehicle was searched and a second set of number plates was found. After interviewing one of the suspects, it was established that he could be linked to previous airport following robberies. After a follow-up on the suspect's addresses, property belonging to victims of airport following robberies was found. A case was opened for the possession of stolen property. All suspects were illegal immigrants. Accused one was sentenced to 36 years in prison on six counts, accused two, to 35 years in prison on six counts, accused three to five years on three counts and accused four to 35 years on six counts. The complainant was travelling from OR Tambo International Airport, to Houghton, to drop off his client. His motor vehicle was blocked by four unknown males armed with pistols and hammers. The vehicle's window was broken with a hammer after the complainant refused to open it. The complainant was hit, pulled from the vehicle and robbed. During the incident a shot was fired. The suspects ran away and the complainant realised that his client was shot by the suspects. The accused two was sentenced to 15 years in prison. The complainant was travelling from Lanseria Airport with his family. As he entered the complex, he saw a white Mercedes Benz in the driveway. While waiting for the garage doors to open to park his vehicle, two unknown males ran towards them, armed with 9mm pistols. The family was robbed of various items, valued at R300 000.00, at gunpoint. The suspects were later linked to a case at Sandringham. The accused were sentenced to 13 years in prison. The complainant arrived at his house with a taxi, from Lanseria Airport. As his wife opened the gate, a white Mercedes Benz entered the property with the occupants wearing police uniform. They instructed him to open the boot and robbed them of luggage and personal belongings, valued at R117 500.00. The suspects were later linked to the arrest made on a Sandringham case. Both the accused were sentenced to 13 years in prison.
Anti-Corruption	A security officer was robbed of his firearm and a security company vehicle by a police member at gunpoint. The vehicle was recovered the same day. The member was found guilty and sentenced to nine years direct imprisonment. The accused took a state vehicle from a SAPS garage and drove it for two weeks, in and around Bloemfontein. He attended an official competition after he was told not to make use of a state vehicle. Upon his return, he submitted a claim for a two weeks attendance to the competition, although the competition was only for one week. The member was found guilty and sentenced to five years direct imprisonment. The accused demanded money from detainees, when issued with a notice to appear in court. The member was found guilty and sentenced to five years direct imprisonment. Between 23 December 2018 and 2 January 2019, the accused pretended to be a police official and took R2 500.00 from the complainant to assist him to become a SAPS member. The accused was found guilty and sentenced to a fine of R12 000 or 12 months in prison.

Family Violence, Child Protection and Sexual Offences	The accused attacked women, at Ngcuka Location, in Lady Frere, from April 2012 and May 2015. All six victims were raped and four of them were killed. The victims were found dead with some indication that they were raped with wounds around the neck and head. After raping one of the victims, wo survived, he asked her, her clan name. When she told him, he told her that he was not going to kill her, because they are from the same clan. The other survivor was hit with a stone and left behind. The murder and the rape of one of the victims assisted with the DNA linkage and the accused was arrested. He was found guilty of six counts of rape, four counts for murder and one count for attempted murder and was sentenced to four life sentences on all counts for murder, 105 years in prison for all counts of rape and attempted murder, for which he received 15 years in prison for each count of rape and attempted murder. The suspect gave a lift to a minor, who was on her way, to Zamdela, in the Free State. The suspect drove the car to a different location, where he tied the victim's hands with cello tape, closed her face with his hat and raped her. On other occasions the suspect gave lifts to women, who were on their way to Zamdela. He would then take them to his house, tie them with cello tape, rape them and take their belongings, by using force. On the last occasion, the suspect gave a lift to a victim, who was raped by a second suspect, where after he pushed the victim out of the moving car. The suspect was positively linked to all cases, through DNA linkage. The accused was found guilty on three counts of rape, three counts of common robbery, three counts of kidnapping and attempted robbery and was sentenced to three life sentences on all rape counts, as well as 50 years in prison, including five years for each count of common robbery, three years for each count of kidnapping and five years for attempted murder. The accused terrorised, the area of Katlehong, between 2013 and 2015. The two men would sit in the streets and threaten their victims with a firearm. One would block the victim from the front and the other would point a firearm at the victim. They then instructed the victims to follow them and robbed them of cellular telephones and money in an open veld, where after they were raped by both men, without a condom. The accused were found guilty on 20 counts of rape, seven counts for armed robbery and four counts for the possession of an unlicensed firearm and were sentenced to 20 life sentences for rape, 105 years in prison on seven counts of armed robbery and 60 years in prison on four counts for the possession of an unlicensed firearm. The suspect, a Mozambican national, terrorised innocent job seeking woman, in Durban, between 2016 and 2019. He would approach street vendors seeking their relatives, who were in need of domestic jobs. The street vendors would give him cellular telephone numbers or even call their relatives and friends with the hope that they would be employed. He would arrange to meet with his victims and board a taxi to the M19 highway, towards the Westville area. Upon reaching the highway, he took them into the bushes, which he claimed was a thoroughfare to the places of employment where he then raped and robbed them of their belongings. The suspect was linked through DNA, modus operandi and by victims, through identification parades. He was found guilty on 32 counts of rape, two counts for attempted rape and 27 counts for robbery and sentenced to 32 life sentences for all rape counts and 475 years in prison. The suspect attacked young girls, under the age of 17 years. After meeting them in the street, he dragged them into the bushes and raped them. One of the victims was robbed of her cellular telephone and he escorted the last victim to his place. The suspect was arrested after the first case, in 2016 and was out on bail. A warrant of arrest was issued, since he did not appear in court. The investigating officer gave his contact details and photographs of the suspect to the community. After the last rape was committed, he was caught by the community who called the investigating officer. He was arrested and Buccal samples were sent to the FSL. The suspect was linked through DNA and modus operandi. The charge of robbery of the cellular telephone was withdrawn, due to insufficient evidence. The accused was sentenced to three life sentences on three counts of rape and a further 10 years in prison on one rape count. The suspect was caught, after raping a woman outside a tavern, in 2016. After his arrest, DNA samples positively linked him to a string of other crimes. The victim, who led the police to the suspect, was outside the tavern on her telephone when he accosted her. He stabbed her with a knife on the forehead and dragged her to a toilet, where he raped her. During trial it emerged that he terrorised the community of KwaMhlanga, with kidnapping and raping, between 2012 and 2016. Four of the victims, who were living in the same area as the suspect, were repeatedly raped by him. The suspect was identified through DNA. He was found guilty on 24 counts of rape, kidnapping, attempted murder, robbery and assault GBH and was sentenced to 14 life sentences and 48 years in prison (five years each on four counts of kidnapping, two years each on four counts of assault GBH, five years for attempted murder and 15 years for robbery).

Family Violence, Child Protection and Sexual Offences	The suspect attacked women coming from taverns, to Phokeng. In one case the complainants came from a bar by foot, on their way to Phokeng, when they were approached by an unknown suspect, who threatened them with a toy gun and raped them both (the 1st victim was raped five times and the second victim three times) and robbed them of their cellular telephones. The second day the suspect raped two other victims, who were hiking from a pub, using the same modus operandi. The victims described the suspect's features to the investigating officer and was identified as the suspect who was wanted on another case. DNA results came back positive and he was arrested. The suspect, linked through modus operandi and DNA, was convicted on eight counts of rape and armed robbery and was sentenced to eight life sentences on all counts. The accused broke into the house of the deceased, attempted to rape the mother and kidnapped the 23-month-old female baby when the family ran to seek help. The accused allegedly raped the deceased before he strangled her. He then mutilated the body of the deceased by cutting out her genitals with a sharp object, while she was still alive and threw her into the Vaal River. A heavy stone was tied to her leg, in order to keep her body from surfacing and she drowned as a result. The accused was arrested the same evening and the body of the deceased was found after four days of intensive searching. The suspect was convicted for rape, murder, attempted rape, housebreaking and theft, kidnapping, attempting to defeat the ends of justice and contravening a protection order. The accused was sentenced to two life sentences for rape and murder and 20 years and nine months in prison for attempted rape, kidnapping, burglary, for contravening a protection order and attempt to defeat the ends of justice. It is alleged that the victim picked up the suspect because he was asking for a lift. While in the vehicle, the victim asked him for a place that sold drugs. On the way to the place where drugs were sold, they stopped by the garage and the suspect requested to drive the vehicle. The suspect then turned towards Mossel Bay and stopped next to the N2. When the victim went to the driver's seat the suspect grabbed her, threw her on the back seat and conducted oral sex. He ejaculated into her mouth where after she spat the semen onto the back seat of the car. He dragged her through a fence to a nearby tree while kicking her. He forced his hand into her vagina and tried to rape her again but did not succeed. He took a rope and tried to tie her by the neck, to the tree, but the rope was too short. He tied her hands and feet to a branch of a tree and left her there and drove off with her vehicle. She managed to untie herself and crawl to the road where she was nearly hit by a car. She lied next to the yellow line and was found by a truck driver who phoned the police. A case was opened, a identity kit was done and published in the newspaper and on social media. An informer spotted the suspect and reported it to the George Police Station. The suspect was arrested and gave a false name to the police. The investigating officer confirmed his real name with his mother, who lived, in Atlantis. The vehicle was found abandoned, in Gharies. The Vehicle Theft Unit, in Springbok conducted an investigation and lifted fingerprints belonging to the suspect. Swabs taken from an empty bottle which was found in the car, came back positive. An identification parade was conducted and the victim identified the suspect. The suspect was also linked with a rape case, in Colesberg, investigated by the De Aar FCS. The accused was found guilty on two counts of rape, theft of motor vehicle and giving a false name to the police and was sentenced to two life sentences on two counts of rape, five years in prison for theft of motor vehicle and 30 days in prison for giving a false name to the police.

FORENSIC SERVICES

- The conducting of fingerprint searches.
- Identifying and confirming previous convictions of suspects, in crimes being investigated.
- Crime scene and evidence management.
- The issuing of police clearance certificates.
- The rendering of an effective ballistic service, by examining firearm and tool marks.
- The rendering of an effective forensic analysis service, by applying the principles of physics, in terms of organic and inorganic matter or substances.
- The rendering of an effective question document examination service.
- The rendering of an effective biology service, by examining evidentary material of biological origin.
- The rendering of an effective chemistry service, e.g. DNA.
- Assistance in the investigation of fire and explosions.
- The presentation of forensic evidence in court.

SUBPROGRAMME: CRIMINAL RECORD CENTRE

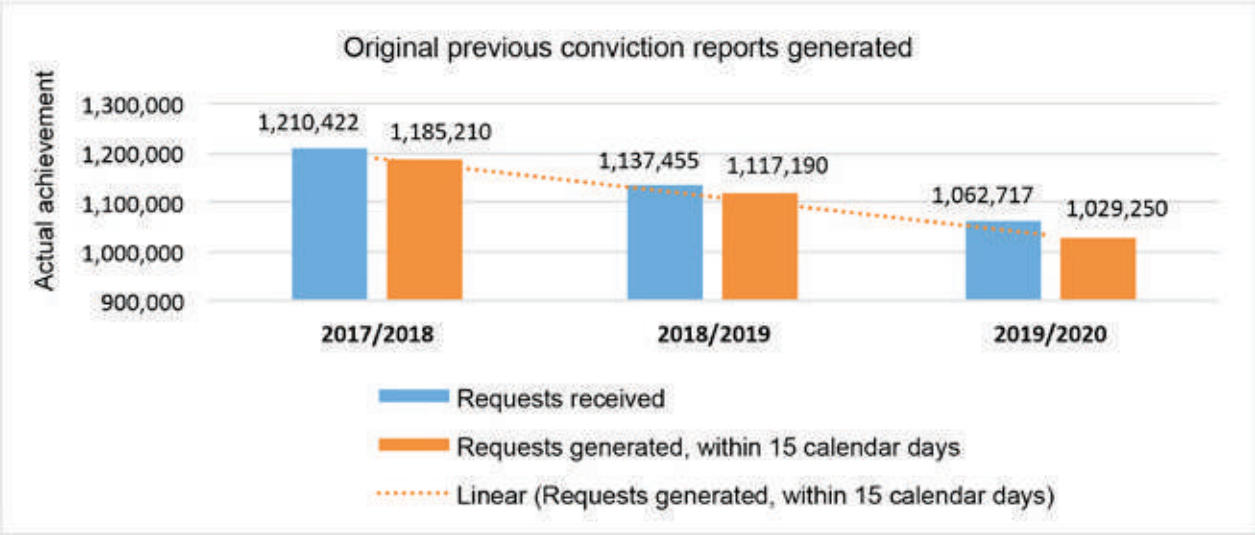
Forensic Services deals with the application of the knowledge and methodology of various disciplines of science to legal matters. It involves the use of multiple disciplines, such as physics, chemistry, biology and engineering for evidence analysis. Without the application of forensic science, criminals cannot be convicted unless an eyewitness is present. Thus, forensic services involves the collection, preservation and analysis of evidence suitable for prosecuting an offender in a court of law.

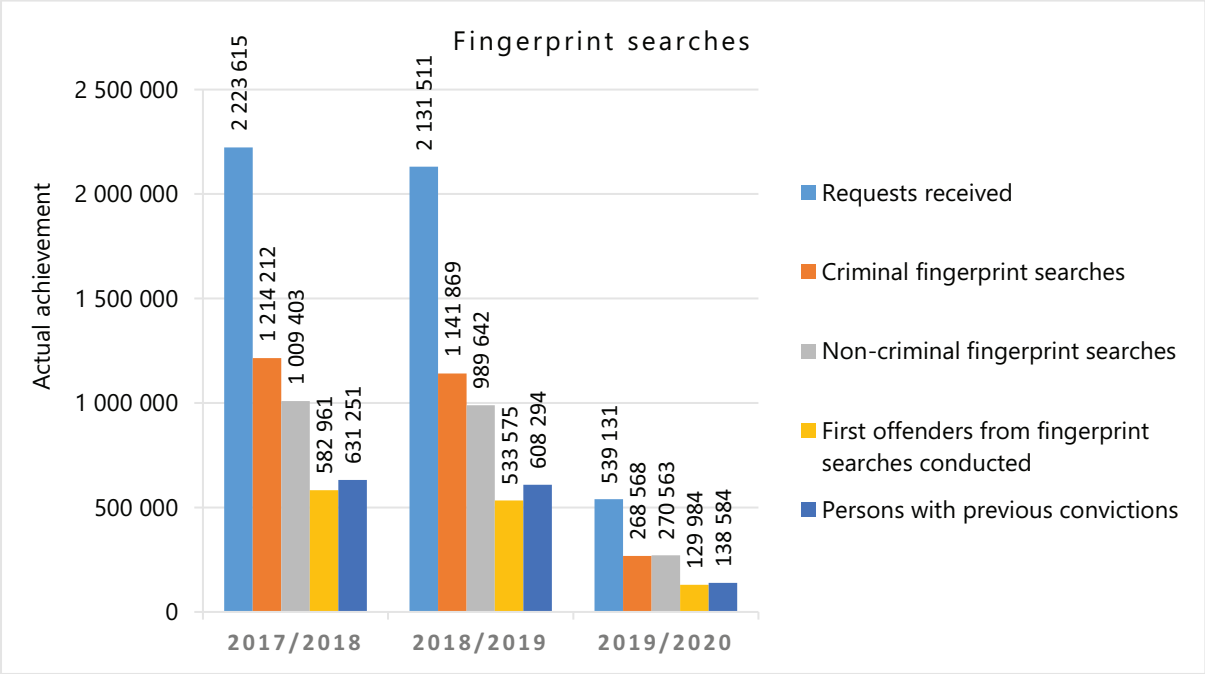
Policing plays a major role in the combating of crime in the community, both reassuring and assisting persons, affected by crime. Increasingly, crime investigation depends on the collection and processing of the analysis of physical forensic evidence for the exoneration of the innocent or the conviction of the perpetrator.

The Forensic Services Division, comprising the FSL, the Criminal Record Centre and Crime Scene Management and Quality Management, is an indispensable investigative aid in the investigation and resolution of crime. This is a highly regulated environment, which requires compliance to legislative imperative, focusing on the Criminal Law (Forensic Procedure) Amendment Act, 2010 (Act No 6 of 2010) and the Fingerprint Act and DNA Act, 2013 (Act No 37 of 2013). The accuracy and reliability of information provided by SAPS' Forensic Service, is crucial to the success of crime investigations and prosecution.

The SAPS is in the process of expanding its services to performing animal DNA analysis, to address the scourge of wildlife crime or endangered species; moreover, the implementation of the legislative imperatives (DNA Act and Fingerprint Act) have necessitated the increased provision of resources into the Forensic Services Division, such as human capital, physical resources, decentralisation of services, etc. in a continued endeavour to improve the turnaround time of the various services which are provided by this environment.

IMPROVE THE PROCESSING OF FINGERPRINT SEARCHES AND MAINTENANCE OF CRIMINAL RECORDS





The Criminal Record and Crime Scene Management processed 96,85% previous conviction reports within 15 calendar days, which is a 1,37% decrease, compared to the 2018/2019 achievement of 98,22%.

The number of requests for fingerprint searches decreased, by 74,71%, compared to 2018/2019. From the 539 131 requests received, 49,81% were for criminal fingerprint searches, in order to determine whether an individual has a criminal record and 50,19%, were non-criminal fingerprint

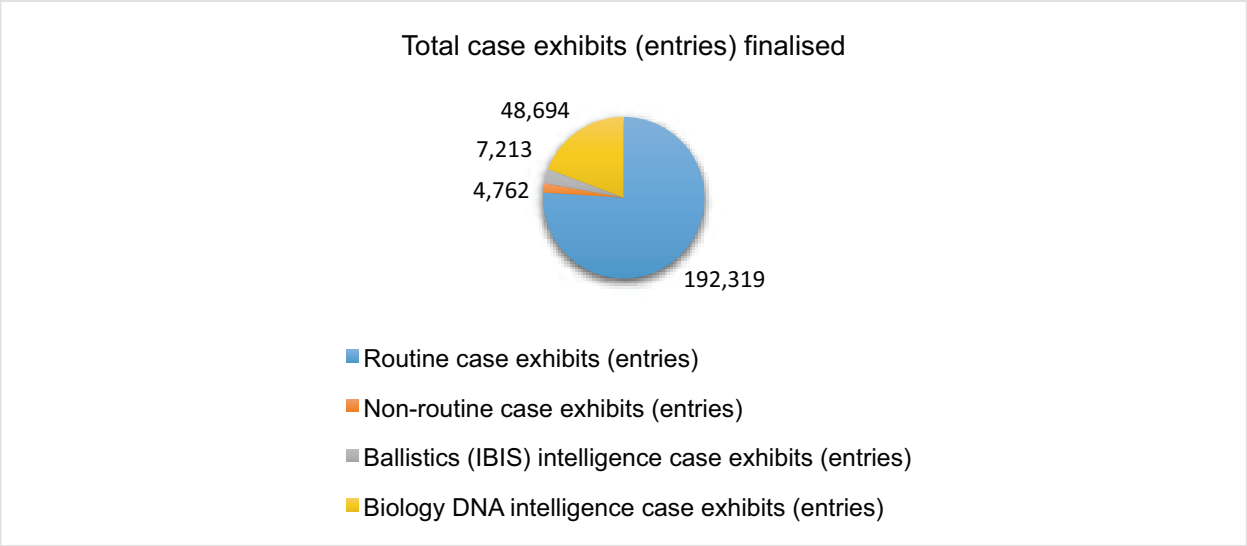
searches, such as in the case of applications for firearm licenses, professional driver's permits and pre-employment screening. From the 268 568 criminal fingerprint searches conducted, 48,40% were first offenders, who had no previous convictions recorded against them, whilst 51,60% resulted in previous convictions being identified and verified.

A further 108 532 requests were received for fingerprint searches related to firearm license applications, of which 86 803 or 79,98% were processed, within 15 calendar days.

SUBPROGRAMME: FORENSIC SCIENCE LABORATORY

ENHANCE THE PROCESSING OF FORENSIC EVIDENCE CASE EXHIBITS (ENTRIES)

The SAPS remains committed towards achieving the targets within the identified target time frames, as identified in the medium-term strategy towards the realisation of processing the different categories (routine case exhibits (entries), non-routine case exhibits (entries), priority case exhibits (entries) and intelligence case exhibits (entries)). During the period under review, the SAPS received a total number of 362 979 case exhibits (entries), compared to 426 797 case exhibits (entries), in 2018/2019. A total number of 252 988 or 69,69% case exhibits (entries) were finalised, in 2019/2020, compared to 423 570 or 99,24%, in 2018/2019. This is a decrease of 29,55%, resulting from the non-availability of buccal swaps, nationwide.



During 2019/2020, a total number of 122 609 or 63,75% routine case exhibits (entries) received, were finalised, within 35 calendar days, compared to 171 989 or 71,92% from a total of 239 123, during 2018/2019, a decrease of 5,78%.

The FSL achieved a 79,67% or 3 794 from a total of 4 762 completion rate, with regard to non-routine case exhibits (entries), within the planned turnaround time of 113 calendar days, compared to a 91,66% or 5 034 from a total of 5 492 completion rate, during the previous financial year. The performance decreased by 11,99%, compared to 2018/2019. Non-routine case exhibits (entries)

are mainly case exhibits (entries) that require research and/or extraordinary timely effort, thus consuming more time and resources to complete.

A total of 59,86% or 29 152 Biology Intelligence case exhibits (entries) were finalised, within the planned turnaround time of 90 calendar days, during the reporting period, compared to 79,58% or 129 944 from a total of 163 278 case exhibits (entries) finalised, during 2018/2019. The environment experienced a 19,72% reduction in performance.

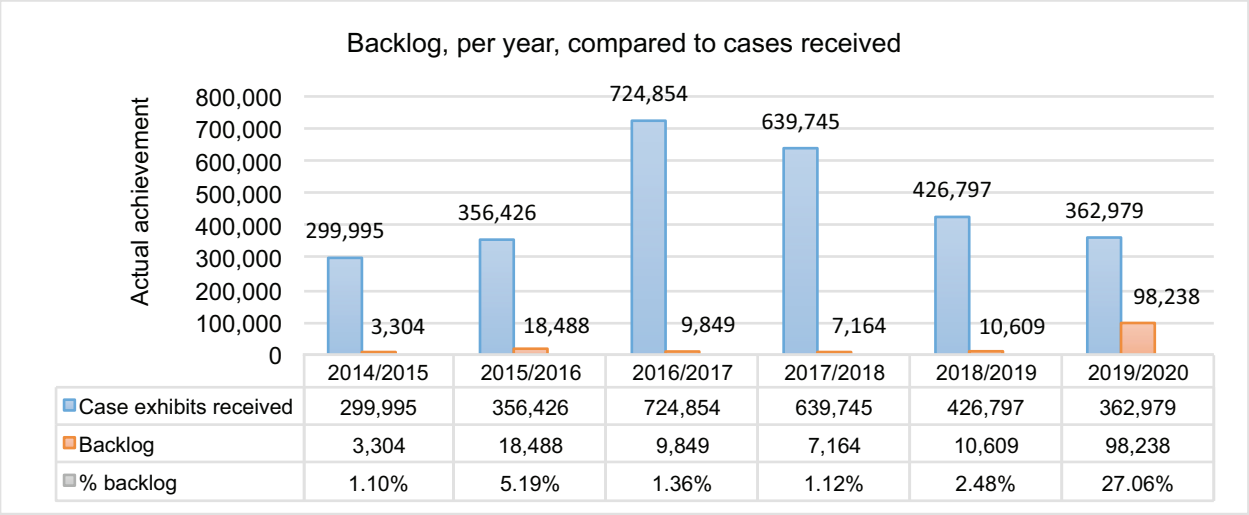
Performance of disciplines within the Forensic Science Laboratory

Discipline	Routine entries finalised for analysis	Routine entries analysed, within 35 calendar days
Ballistics Examination of firearms and tools, as well as the etching process to restore numbers that have been erased on firearms.	47 118	28 688 (60,88%)
Biology Analysis of evidentiary material of biological origin, e.g. body-fluids, hair and human tissue, with the aim of accomplishing the highest possible degree of human identification through forensic DNA analysis and microscopical comparison.	33 481	22 769 (68,00%)
Chemistry Analysis of substance, e.g. powders, tablets, liquids suspected of containing controlled pharmaceutical and/or illicit drugs.	82 904	45 168 (54,48%)
Questioned documents Analysis of questioned documents, e.g. handwriting, typewriting, forged signatures and counterfeit banknotes.	18 320	18 227 (99,49%)
Scientific analysis Analysis of organic and inorganic matters or substance, e.g. plastics, fuel, vegetable medicines, soil, gold, poison and primer residue.	7 297	4 559 (62,47%)
Victim Identification Centre	3 199	3 198 (99,96%)

The backlog of cases exhibits (entries) increased from 2,48%, to 27,06%, from 2018/2019, portraying a 24,58% increase. A total of 98 238 case exhibits (entries) are yet to be attended to. This surpasses the international norm of 10%, by 14,58%. Although progress in the reduction of the backlog was made in the past years, the current backlog statistics leaves less to be desired.

Status of the backlog in the various forensic examination types

Examination type	Financial year	Cases received	Backlog, as on 31 March 2019
Drug analysis	2014/2015	79 010	0
	2015/2016	87 724	3
	2016/2017	99 825	15
	2017/2018	106 449	64
	2018/2019	110 290	3
	2019/2020	**103 623**	**1 472**
Integrated Ballistic Identification System	2014/2015	24 998	0
	2015/2016	18 704	0
	2016/2017	33 688	0
	2017/2018	68 671	0
	2018/2019	61 362	0
	2019/2020	**5**	**37**
Scientific analysis	**2019/2020**	**8740**	**232**



The Criminal Law (Forensic Procedures) Amendment Act, 2013 (Act No 37 of 2013) (commonly referred to as the DNA Act) provides the required legal framework to perform forensic DNA examinations, in supporting the resolution of crime. The Act formally establishes the National Forensic DNA Database (NFDD), which consists of a number of indices containing forensic DNA profiles, which is derived from samples collected from different categories of persons and crime samples. The DNA Act makes provision for several safeguards and defines penalties, to ensure that forensic exhibit material and samples are collected, stored and used only for purposes related to the detection of crime, the investigation of an offence or prosecution.

Section 15AC of the Criminal Law (Forensics Procedures) Amendment Act, 2013 (Act No 37 of 2018) (commonly referred to as the DNA Act), requires that the National Commissioner of Police to report on the following, annually:

» the use of forensic DNA evidence in the investigation of crime;

» the performance of the NFDD; and

» disciplinary proceedings concerning forensic DNA matters.

The taking of buccal samples for prioritised Scheduled 8 offences, by detectives in the various provinces, from persons arrested and charged, is conducted, in terms of Section 36(D)(2) of the DNA Act, 2013. The compliance for taking buccal samples from arrested and charged persons is 9,6% (23 200 from a total of 241 755) in prioritised Schedule 8 offences.

Buccal samples analysed, from receipt	**Within 30 calendar days**	Qtr 1: 2019/2020: 66,50% (6 616 from a total of 9 949)
		Qtr 2: 2019/2020: 82,58% (4 215 from a total of 5 104)
		Qtr 3: 2019/2020: 22,25% (484 from a total of 2 175)
		Qtr 4: 2019/2020: 11,00% (276 from a total of 2 507)
Annual total: 2019/2020: 58,73% (11 591 from a total of 19 735)		

Buccal samples analysed, from receipt at Case Reception	**Within 30 calendar days**	Qtr 1: 2019/2020: 69,66% (6 930 from a total of 9 949)
		Qtr 2: 2019/2020: 86,11% (4 395 from a total of 5 104)
		Qtr 3: 2019/2020: 22,67% (493 from a total of 2 175)
		Qtr 4: 2019/2020: 26,45% (663 from a total of 2 507)
Annual total: 2019/2020: 63,24% (12 481 from a total of 19 735)		

Number of DNA cases, with matches (inclusions[44]) finalised	Total: 2018/2019: 8 993 cases
	Total: 2019/2020: 4 780 cases
Number of DNA serial case reports finalised	Total: 2018/2019: 2 306 cases
	Total: 2019/2020: 1 763 cases

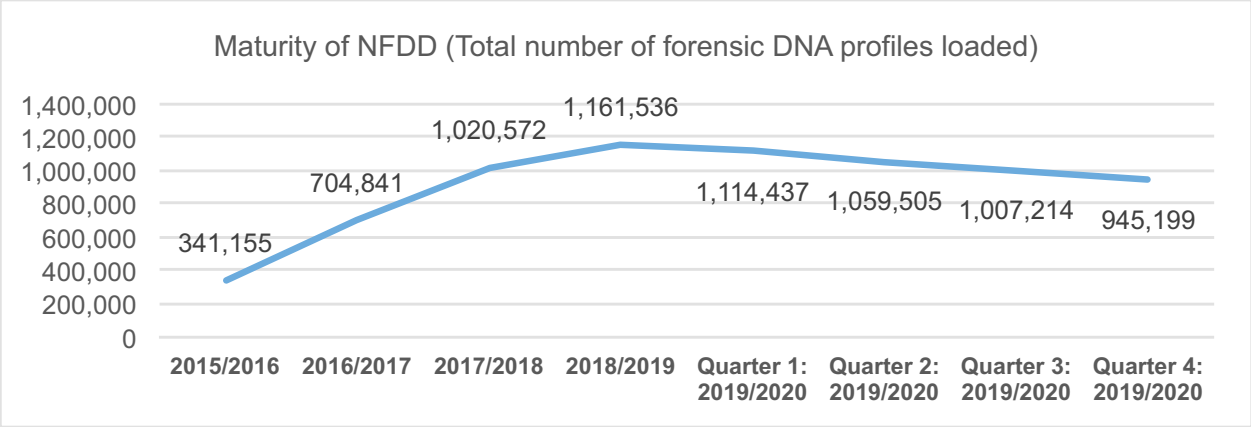
The DNA Act, 2013 requires the provision of compelling reasons, as to why DNA samples received, are not analysed within 30 days from receipt and why the DNA casework was not completed within the annual operational performance targets. Furthermore, the Act requires that disciplinary measures must be taken and reported by the authorised officer responsible for Forensic Services, against the responsible persons for failure to comply with this requirement of the Act. Objective impossibility of discharging a legal duty is always a defence when the conduct required from a person is omission. The notion that the law cannot expect somebody to do the impossible is usually expressed by the maximum *lex non cogit ad impossibilia,* which "the law does not apply to what is impossible". DNA casework analysis on all cases received, can only be performed if adequate baseline funding is provided with the necessary contract vehicles to procure reagents and consumables.

The most compelling reason for not meeting the targets, in relation to DNA analysis and making it difficult for the authorised person to take the necessary disciplinary steps against responsible persons, are the exceptional challenges, which were experienced, during 2019/2020, to procure the required consumables and reagents to perform forensic analysis. The maintenance and calibration of the equipment was also negatively impacted by this.

The NFDD is established, in terms of the Criminal Law (Forensic Procedures) Amendment Act, 2013 and is managed independently from DNA analysis, as required by the Act. Forensic DNA profiles derived from crime samples and buccal samples are loaded onto the various indices of the NFDD. The certification compliance to ISO9001 has been sustained, since 17 February 2017. Regular surveillance assessments/audits are conducted by the certification body to monitor continuous conformance to the Quality Management System.

Period	Number of profiles loaded on the NFDD	Number of profiles expunged on the NFDD
2016/2017	363 686	41 286
2017/2018	315 731	38 771
2018/2019	140 964	57 033
2019/2020	**32 342**	**220 556**

The size of the NFDD has decreased from 1 114 437, in the beginning of 2019/2020, to 945 199 forensic DNA profiles, at the end of the financial year. This decrease can be attributed to challenges with the adequate supply of buccal kits, the low compliance by detectives to collect the buccal samples and the increasing DNA backlog at the FSL. Thus, the expungement rate is higher than the loading rate of DNA profiles. The diagram below illustrates the size of the NFDD over the last few years, in particular, during the various quarters, of 2019/2020.



Forensic DNA investigative leads is the outcome of verified candidate DNA leads, identified from the comparison search conducted on the NFDD. Forensic DNA investigative leads provide investigators with information linking serial and multiple offenders to various crime scenes. The number of verified reported forensic DNA investigative leads (with cases linked), for 2019/2020, is depicted below:

Period	Linking of know persons (persons-to-crime)	Linking of unknown persons (crime-to-crime)
Quarter 1	2 448	548
Quarter 2	953	231
Quarter 3	941	356
Quarter 4	864	314
Total	**5 206**	**1 449**

It is noted that there is a significantly lower number of forensic DNA investigative leads reported, during 2019/2020, compared to previous years. This can be attributed to the low number of DNA analysis performed at the FSL (increasing backlog experienced, due to budget and procurement challenges) and the low number of buccal samples taken by detectives from persons arrested and charged for Schedule 8 offences, due to the challenges experienced with the availability of the buccal kits.

HIGHLIGHT

During October 2019, a serial rapist, burglar and cop killer was sentenced to 758 years in prison. The serial offender, namely; Bongani Lucky Masuku, was also given life sentences for 126 crimes that he had committed, between 2010 and 2018. His crimes included 35 counts of rape and a count of murder, for killing an off-duty police officer, on 7 January 2019. The accused worked as a bricklayer during the day. He was part of a syndicate that targeted homes, in Soshanguve, Tshwane, Winterveld, Itsoseng and Ikageng, near Potchefstroom. The accused, with his partners, in a gang, would enter the homes and take turns raping women and teenage girls, while robbing and assaulting their relatives. The victims were aged, between 14 and 27. The accused was described by the presiding officer as a violent predator. One of the victims had to undergo surgery because of the violent nature of the rape. As a result, she can no longer have children. Forensic investigative leads, together with good detective work, was instrumental in the identification of the perpetrator and resolution of these crimes that led to the successful conviction of the accused.

Regulation 12 of the supporting regulations to the DNA Act and the Policy on Investigating Serial Rape and Murder Casework, requires that the National Commissioner establishes and maintains dedicated units, in all provinces to follow-up on investigative leads. Furthermore, that every Provincial Commissioner must take the necessary measures and ensure that forensic investigative leads, are investigated and resolved. The number of outstanding cases for person-to-crime forensic DNA investigative leads that require follow-up and investigation, is 2 752.

The National Forensic Oversight and Ethical Board has been established, in terms of Section 15v of the DNA Act to perform oversight on the implementation of the DNA Act. The responsibilities of the Board, include monitoring the implementation of the Act; providing oversight over the processes relating to the collection, retention, storage, destruction and disposal of DNA samples; the retention and removal of forensic DNA profiles on the NFDD; conducting familial searches and the ethical, legal and social implications of the use of forensic DNA; and making proposals to the Minister on the improvement of practices, regarding the overall operations of the NFDD.

DIRECTORATE
FOR PRIORITY CRIME INVESTIGATION

STRATEGIC PERFORMANCE INDICATORS, PLANNED TARGETS AND ACTUAL ACHIEVEMENTS

SUBPROGRAMME: SPECIALISED INVESTIGATIONS

Table 11: Actual performance against targets

Objective statement	Performance indicator	Actual achievement 2016/2017	Actual achievement 2017/2018	Actual achievement 2018/2019	Planned target 2019/2020	Actual achievement 2019/2020	Deviation from planned target to actual achievement 2019/2020	Comment on deviation
Reduce levels of fraud and corruption in the public and private sector, thereby improving investor perception, trust in and willingness to invest in South Africa	Percentage of trial-ready case dockets for fraud and corruption within the JCPS Cluster	79,47% (511 from a total of 643) trial-ready case dockets for fraud and corruption by individuals within the JCPS Cluster.	74,15% (436 from a total of 588) trial-ready case dockets for fraud and corruption by individuals within the JCPS Cluster.	82,37% (416 from a total of 505) trial-ready case dockets for fraud and corruption by individuals within the JCPS Cluster.	77,00%	89,63% (311 from a total of 347).	12,63% points	Target achieved. The increased capacity of investigating officers, as well as positively conducted 252A Operations[45]. Focused consultation with the NPA to finalise the Prosecutor Guided Investigation on time, for the case to be on the court roll and adhering to prosecutors remarks to finalise the investigations. Continuous application of a multidisciplinary investigative approach and good stakeholder involvement, which includes consultation with prosecutors during investigations.

Objective statement	Performance indicator	Actual achievement 2016/2017	Actual achievement 2017/2018	Actual achievement 2018/2019	Planned target 2019/2020	Actual achievement 2019/2020	Deviation from planned target to actual achievement 2019/2020	Comment on deviation
Reduce levels of fraud and corruption in the public and private sector, thereby improving investor perception, trust in and willingness to invest in South Africa	Conviction rate for fraud and corruption within the JCPS Cluster	New performance indicator, in 2019/2020.	New performance indicator, in 2019/2020.	New performance indicator, in 2019/2020.	70,00%	92,72% (140 from a total of 151).	22,72% points	Target achieved. The increased capacity of investigating officers, as well as positively conducted 252A Operations. Focused consultation with the NPA to finalise the Prosecutor Guided Investigation on time, for the case to be on the court roll and adhering to prosecutors remarks to finalise the investigations. Continuous application of a multidisciplinary investigative approach and good stakeholder involvement, which includes consultation with prosecutors during investigations.

ANNEXURE IP17 650

Objective statement	Performance indicator	Actual achievement 2016/2017	Actual achievement 2017/2018	Actual achievement 2018/2019	Planned target 2019/2020	Actual achievement 2019/2020	Deviation from planned target to actual achievement 2019/2020	Comment on deviation
Reduce levels of fraud and corruption in the public and private sector, thereby improving investor perception, trust in and willingness to invest in South Africa	Conviction rate for fraud and corruption within the Public Sector	New performance indicator, in 2019/2020.	New performance indicator, in 2019/2020.	New performance indicator, in 2019/2020.	70,00%	100% (426 from a total of 426).	30,00% points	Target achieved. The increased capacity of investigating officers, as well as positively conducted 252A Operations. Focused consultation with the NPA to finalise the Prosecutor Guided Investigation on time, for the case to be on the court roll and adhering to prosecutors remarks to finalise the investigations. Continuous application of a multidisciplinary investigative approach and good stakeholder involvement, which includes consultation with prosecutors during investigations.

Objective statement	Performance indicator	Actual achievement 2016/2017	Actual achievement 2017/2018	Actual achievement 2018/2019	Planned target 2019/2020	Actual achievement 2019/2020	Deviation from planned target to actual achievement 2019/2020	Comment on deviation
Reduce levels of fraud and corruption in the public and private sector, thereby improving investor perception, trust in and willingness to invest in South Africa	Conviction rate for fraud and corruption within the Private Sector	New performance indicator, in 2019/2020.	New performance indicator, in 2019/2020.	New performance indicator, in 2019/2020.	70,00%	98,00% (49 from a total of 50).	28,00% points	Target achieved. The increased capacity of investigating officers, as well as positively conducted 252A Operations. Focused consultation with the NPA to finalise the Prosecutor Guided Investigation on time, for the case to be on the court roll and adhering to prosecutors remarks to finalise the investigations. Continuous application of a multidisciplinary investigative approach and good stakeholder involvement, which includes consultation with prosecutors during investigations.
Specialised investigation of serious commercial crime-related charges	Conviction rate for serious commercial crime-related charges	New performance indicator, in 2019/2020.	New performance indicator, in 2019/2020.	New performance indicator, in 2019/2020.	97,00%	98,15% (37 700 from a total of 38 409).	1,15% points	Target achieved. Improved case docket evaluations resulted in the successful finalisation of investigations.

ANNEXURE IP17 652

Objective statement	Performance indicator	Actual achievement 2016/2017	Actual achievement 2017/2018	Actual achievement 2018/2019	Planned target 2019/2020	Actual achievement 2019/2020	Deviation from planned target to actual achievement 2019/2020	Comment on deviation
Reduce the levels of serious organised crime through the successful closure of serious organised crime project investigations	Percentage of registered serious organised crime project investigations successfully closed	51,61% (32 from a total of 62 projects successfully terminated).	46,67% (14 from a total of 30 projects successfully terminated).	44,83% (13 from a total of 29 projects successfully closed).	72,00%	70,00% (7 from a total of 10).	-2,00% points	Target not achieved. Some projects were converted into major case investigations and closure dates have been extended. Delay of racketeering certificates for prosecution.
Providing specialised investigative support to prevent, combat and investigate cybercrime	Percentage of specialised cybercrime investigative support case files successfully investigated[46]	Revised strategic indicator, in 2018/2019.	Revised strategic indicator, in 2018/2019.	80,00% (104 from a total of 130).	55,00%	80,22% (73 from a total of 91).	25,22% points	Target achieved. The nature of case files finalised enabled the expedition of services rendered.

ANNUAL PERFORMANCE INDICATORS PLANNED TARGETS AND ACTUAL ACHIEVEMENTS

SUBPROGRAMME: SPECIALISED INVESTIGATIONS

Table 12: Actual performance against targets

Objective statement	Performance indicator	Actual achievement 2016/2017	Actual achievement 2017/2018	Actual achievement 2018/2019	Planned target 2019/2020	Actual achievement 2019/2020	Deviation from planned target to actual achievement 2019/2020	Comment on deviation
Reduce levels of fraud and corruption in the public and private sector[47] thereby improving investor perception, trust in and willingness to invest in South Africa	Percentage of trial-ready case dockets for fraud and corruption within the Public Sector	Revised performance indicator, in 2019/2020.	Revised performance indicator, in 2019/2020.	Revised performance indicator, in 2019/2020.	70,00%	88,89% (56 from a total of 63).	18,89% points	Target achieved. The increased capacity of investigating officers, as well as positively conducted 252A Operations. Focused consultation with the NPA to finalise the Prosecutor Guided Investigation on time, for the case to be on the court roll and adhering to prosecutors remarks to finalise the investigations. Continuous application of a multidisciplinary investigative approach and good stakeholder involvement, which includes consultation with prosecutors during investigations.

Objective statement	Performance indicator	Actual achievement 2016/2017	Actual achievement 2017/2018	Actual achievement 2018/2019	Planned target 2019/2020	Actual achievement 2019/2020	Deviation from planned target to actual achievement 2019/2020	Comment on deviation
Reduce levels of fraud and corruption in the public and private sector thereby improving investor perception, trust in and willingness to invest in South Africa	Percentage of trial-ready case dockets for fraud and corruption within the Private Sector	Revised performance indicator, in 2019/2020.	Revised performance indicator, in 2019/2020.	Revised performance indicator, in 2019/2020.	66,00%	76,51% (127 from a total of 166).	10,51% points	Target achieved. The increased capacity of investigating officers, as well as positively conducted 252A Operations. Focused consultation with the NPA to finalise the Prosecutor Guided Investigation on time, for the case to be on the court roll and adhering to prosecutors remarks to finalise the investigations. Continuous application of a multidisciplinary investigative approach and good stakeholder involvement, which includes consultation with prosecutors during investigations.
Specialised investigation of serious commercial crime-related charges	Percentage of trial-ready case dockets for serious commercial crime-related charges	Trial-ready case docket rate of 66,43% (2 750 from a total of 4 140) for serious commercial crime-related charges.	Trial-ready case docket rate of 70,04% (2 270 from a total of 3 241) for serious commercial crime-related charges.	Trial-ready case docket rate of 74,37% (2 107 from a total of 2 833) for serious commercial crime-related charges.	65,00%	63,79% (1 614 from a total of 2 530).	-1,21% points	Target not achieved. Witnesses in municipal fraud and corruption investigations are sometimes reluctant to come forward or hand over evidential material. Delays in the finalisation of forensic audit reports during investigations. Some delays in case dockets submitted to the NPA for decision, due to the high volume of cases.

ANNEXURE IP17

655

Objective statement	Performance indicator	Actual achievement 2016/2017	Actual achievement 2017/2018	Actual achievement 2018/2019	Planned target 2019/2020	Actual achievement 2019/2020	Deviation from planned target to actual achievement 2019/2020	Comment on deviation
Reduce the levels of serious organised crime through the successful closure of serious organised crime project investigations	Percentage of identified clandestine laboratories dismantled with arrests	Revised performance indicator, in 2019/2020.	Revised performance indicator, in 2019/2020.	Revised performance indicator, in 2019/2020.	90%	100% (24 from a total of 24, with 56 arrests).	10,00% points	Target achieved. Effective informer network maintained and a good working relationship with Crime Intelligence.

SERVICE DELIVERY ACHIEVEMENTS

The mandate of the DPCI is to prevent, combat and investigate national priority offences, focusing on serious organised crime, serious commercial crime and serious corruption.

In terms of Section 17D of the SAPS Act, 1995 (Act No 68 of 1995), the mandate of the DPCI is as follows:

(1) The functions of the Directorate are to prevent, combat and investigate -
- (a) National Priority Offences, which in the opinion of the National Head of the Directorate need to be addressed by the Directorate;
- (Aa) Offences referred to in Chapter 2 and Section 34 of the Prevention and Combating of Corrupt Activities Act, 2004 (Act No 12 of 2004); and

(2) If, during the course of an investigation by the Directorate; evidence of any other crime is detected and the National Head of the Directorate considers it in the interests of justice or in the public interest, he or she may extend the investigation so as to include any offence which he or she suspects to be connected with the subject of the investigation.

Notwithstanding the achievement of the eleven performance indicators, the following successes were also recorded over the reporting period:

- A total of 2 445 arrests were effected, compared to 5 002, in 2018/2019, a decrease of 2 557 arrests.
- Convictions amounting to 773 charges against accused were secured in court, compared to 2 139 charges, in 2018/2019.
- Seizures with an estimated value of R9.53 billion, including narcotics, counterfeit goods, precious metals and wildlife, were realised. A total of 291 firearms, 341 179 rounds of ammunition were seized, as well as 677 explosives.
- A Preservation and Forfeiture Order was issued for an amount of R4.9 million, vehicles and R374 876.21 was found in the bank accounts. Four vehicles, valued at R671 100.00, were forfeited to the State.

SUBPROGRAMME: SPECIALISED INVESTIGATIONS

REDUCE LEVELS OF FRAUD AND CORRUPTION IN THE PUBLIC AND PRIVATE SECTOR

The country is currently grappling with crippling effects of serious corruption and fraud and simply wants to see concrete action taken by the CJS, in response to the multitude of allegations of serious corruption[48], in both the public[49] and private[50] sectors, which have surfaced in the recent past. The reviewed DPCI organisational structure provides for the continued, thorough and responsive investigation of serious corruption in the public and private sectors and particularly within JCPS Cluster departments, which are at the frontline of the fight against crime in the country. The SAPS has, within the context of the JCPS Cluster input into the MTSF (2019-2024), prioritised interventions, relevant to the reduction of serious corruption in the private and public sectors, to guide planning and implementation within key JCPS Cluster departments over the medium-term.

Corruption[51], being a clandestine activity, is, by its very nature, impossible to quantify yet its impact, economically and otherwise, is all too obvious. Efforts are continuing to strengthen the Anti-Corruption Task Team, as an effective Anti-Corruption structure, which has returned to its original mandate of managing complex corruption cases.

The trial-ready case docket rate for fraud and corruption by individuals within the JCPS Cluster, increased from 82,37% or 416 from a total of 505, in 2018/2019 to 89,63% or 311 from a total of 347, in 2019/2020, against the planned target of 77%, an increase of 7,26%. The conviction rate for fraud and corruption within the JCPS Cluster was 92,72%, in 2019/2020.

During the reporting period, a total number of 475 convictions were made, in both the public and private sectors, A conviction rate of 100% or 426 from a total of 426, was achieved in the public sector and 98,00% or 49 from a total of 50 in the private sector.

HIGHLIGHTS

Arrest of corrupt Police Officials: Lenasi
A police captain demanded and received an amount of R500.00 for computerised vehicle information, which includes vehicle identifiers. The aim was to purchase duplicate registration papers from the corrupt licencing officials. An operation was conducted under the authority of 252A of the Criminal Procedure Act, 1977. The captain was sentenced to eight years direct imprisonment, on 18 June 2019.

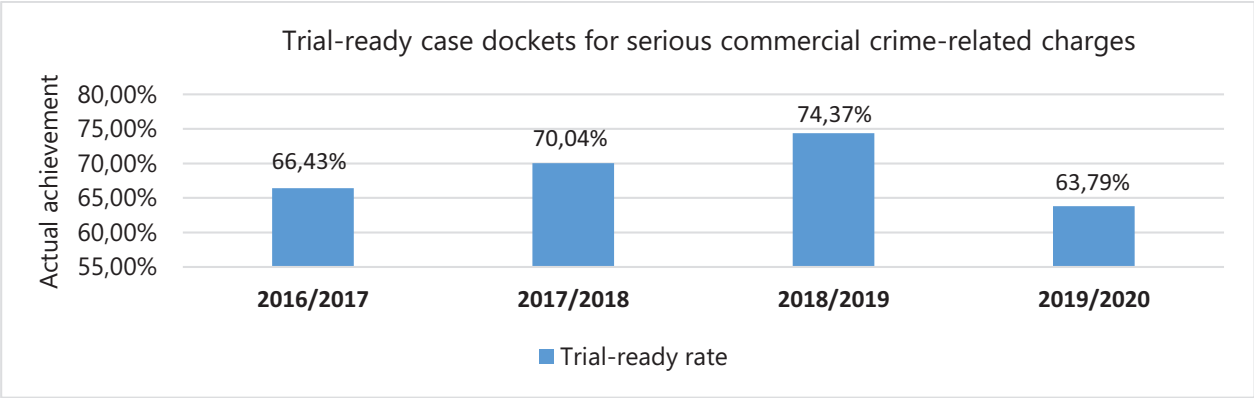
Arrest of corrupt Police Officials: Vosloorus
A police constable demanded and received an amount of R5 000.00 from an armed robbery accused, in order for him not to execute a warrant of arrest. An operation was conducted under the authority of 252A of the Criminal Procedure Act, 1977. On 23 January 2020, the constable was sentenced to 12 years in prison.

SPECIALISED INVESTIGATION OF SERIOUS COMMERCIAL CRIME

Serious commercial crime, in the context of the DPCI refers to serious fraud, forgery and uttering, theft, such as the theft of trust funds, commercial crime that is of such an extent or complexity that it requires the services of a chartered accountant or other specialist or extent during investigation and contravention of certain statutes relating to commercial crime (including statutes relating to, *inter alia*, companies, trust and close corporations long and short-term insurance, the counterfeiting of currency, the counterfeiting and illicit trade in counterfeit products and goods, intellectual property rights, banks and the banking industry, exchange control, estate agents) serious corruption and computer-related/cyber-related crime). Commercial crime refers to fraud, forgery, uttering and theft (such as the theft of trust funds). It further includes statutes relating to, *inter alia*, companies, trusts and close corporations, long and short-term insurance, the counterfeiting of currency, the counterfeiting and illicit trade in counterfeit products and goods, intellectual property rights, banks and the banking industry, exchange control, estate agents and computer-related or cyber-related crime, which include an element of corruption. Serious Commercial Crime refers to those cases investigated by the DPCI and is determined by the mandate of the DPCI.

During the 2019/2020 reporting period, the percentage of trial-ready case dockets for serious commercial crime related charges decreased, from 74,37% or 2 107 from a total of 2 833, in 2018/2019 to 63,79% or 1 614 from a total 2 530, in 2019/2020, a decrease of 10,58%, achieving the annual target of 65%. Counterfeit goods alone, with an estimated value of R151 365 810, was seized by Serious Commercial Crime Units. A total of 842 arrests were effected and 37 597 convictions[52] were secured. The target for the trial-ready case docket rate for serious commercial crime-related charges was adjusted from 53%, in 2018/2019 to 65%, in 2019/2020, due to a threshold change

implemented by the NPA for cases to be trialled in Specialised Commercial Crime Courts. The value of the cases trialled in these courts were previously aligned with the threshold of the DPCI serious commercial crime investigations at R100 000.00, in 2019/2020, resulting in the trial of cases outside the NPA threshold in normal courts. Unfortunately, the impact of this threshold adjustment was more substantial than anticipated and the performance was 1,1% points under the target. The underperformance can be attributed to the complexity of serious commercial crime case dockets. There is ongoing consultation between the DPCI and NPA, to resolve the difference in the threshold for serious commercial crime cases.



HIGHLIGHTS

Eastern Cape: Humewood CAS 340/08/2009: Fraud and money laundering
Four accused committed fraudulent activities, in the Nelson Mandela Bay Municipality to the value of R19 722 000. Accused 1 attempted to recruit an employee to install spyware on the CASH Transaction System (CATS) and received money from main syndicate members (sentenced to 10 years in prison for fraud and five years for money laundering (concurrently effective 10 years in prison)). Accused 2, a former Deputy Director at the Salary Section, recruited an employee, who worked at budgets, at National Treasury, to install E-Blaster Spyware on the CATS, ensured that E-Blaster Spyware was purchased and received money (sentenced to 15 years for fraud, as well as money laundering for a period, not exceeding five years (concurrently effective 15 years)). Accused 3, a family member, who introduced the syndicate to the entity's employee, assisted in purchasing an E-Blaster Spyware and received money (sentenced to 15 years for fraud, as well as for money laundering, for a period not exceeding five years (concurrently effective 15 years)). Accused 4, associated to the main syndicate leaders, introduced the main syndicate member to the employees. The accused purchased airplane tickets with a beneficiary bank account card and also received money (sentenced to 15 years for fraud, as well as money laundering for five years, effective 15 years of which eight years must be served with the current 20 year sentence).

Eastern Cape: East London CAS 363/08/2017: Fraud
The accused acted as a traditional healer and mislead the victim into believing that her ancestors were going to give her a huge sum of money. The complainant was told to hand over her pension money to them and the ancestors will increase it to millions. Accused 1 and 2 was sentenced to six years in prison and accused 3, to 12 months in prison. The actual value of the transaction was R1 160 000.

Free State: Welkom CAS 475/09/2016: Fraud
During the period, 1 December 2009 to 31 December 2012, the SARS found that a business entity was granted various tenders from a municipality but submitted a nil Value Added Tax 201 Return (VAT201), for the period in question. Accused 1 was fined R200 000.00, totally suspended for five years, accused 2 was sentenced to eight years in prison, totally suspended for five years and was ordered to repay an amount of R648 168.22 compensation to SARS, accused 3 was sentenced to eight years in prison, totally suspended for five years and was ordered to repay an amount of R648 168.22 compensation to SARS and accused 4 was sentenced to eight years in prison, totally suspended for five years. The value of the actual loss, was R1 292 694.

Free State: Bethlehem CAS 469/03/2018: Fraud and money laundering
he accused operated an investment business, namely; Umgabulo Investment, where clients invested money for different periods. During the period of their investment they never received any interest, as agreed. The accused was sentenced to eight years in prison, suspended for five years on count 1 and five years in prison, suspended for five years on count 2, on condition that the accused must pay back the complainants the said amount.

Free State: Brandfort CAS 99/11/2009: Fraud and Section 9 of the Proceeds of Crime Act, 1998 (Act No 121 of 1998)
The accused were employed at a furniture shop, in Brandfort, as sales officials. From 10 October 2008 to 3 December 2008, the accused fraudulently created fictitious/false purchase agreements, in order to obtain the stock mentioned on the agreements, for personal gain. As a result, their employer was prejudiced and suffered a total loss of R308 223. Case dockets were registered and handed over to the Serious Commercial Crime Unit, in Bloemfontein, for further investigation. The accused was arrested and charged, on 28 May 2015 and was sentenced, on 16 March 2020. Accused 1, 3 and 4 were convicted for fraud (counts 1 to 55) and Sec 9 of the Prevention of Organised Crime Act (POCA), 1998 (Act No 121 of 1998) (count 56) and sentenced to five years in prison, in terms of Section 276 (1) (i) of the Criminal Procedure Act, 1977 (Act No 51 of 1977), on fraud charges and three years in prison, suspended for four years, on the POCA charge. The actual value was R308 223.

Free State: Ladybrand CAS 228/12/2017: Fraud and money laundering
The accused was employed at Standard Bank and he issued himself with bank cards and linked it to four client accounts. He transferred money between the accounts and made withdrawals of different amounts, over a period of time. He also transferred money to friends and family members for their personal use. The actual value was R636 000. The accused was convicted, on 20 February 2020.

KwaZulu-Natal: Pietermaritzburg CAS 678/11/2015: Fraud: Money laundering
It was alleged by Department of Cooperative Governance and Traditional Affairs (COGTA) that the Department was the victim of an alleged fraud, to the value of R7.5 million, which was meant for the Ingwe Municipality, on 13 November 2015. On 25 November 2015, COGTA became aware that the funds for Ingwe didn't reflect in the municipalities' bank account. The funds to Ingwe were supposed to be for the construction of a community service centre. On inspection of the payment voucher and all supporting documents, it was discovered that the details of Ingwe's bank account was changed, from a Standard Bank account to an First National Bank account. It was confirmed with Ingwe that they hadn't changed their bank account details or given anyone permission to change the bank account details and they last changed their account details, in June 2014. Accused 1 was found guilty, on 19 July 2018 and sentenced to 12 years direct imprisonment, on 26 February 2019. Accused 2's bail was withdrawn and he was placed in custody until sentencing for fraud and money laundering. The accused was sentenced, on 5 December 2019 to 15 years in prison for fraud and 10 years in prison for money laundering. The sentences are to run concurrently. The date of conviction, was 8 October 2019.

Western Cape: Worcester CAS 801/06/2018: Fraud, Money laundering
The accused, while being employed, during the period 2014 and 2018, at an Attorney`s law firm, misrepresented 486 transactions in the financials of the company to be paid to clients, who held funds in trusts, whereas she transferred the funds to bank accounts held in her name. Value (prejudice = R4.6 million). On 6 February 2020, the accused was found guilty on 385 counts of fraud (all counts taken together for sentence). The accused was sentenced to nine years in prison, in terms of Section 276(1)(b) of the Criminal Procedure Act, 1977 (Act No 51 of 1977), read with Sec 51(3)(a) of the Criminal Law Amendment Act, 1997 (Act No 105 of 1997).

Western Cape: Cape Town Central CAS 1279/10/2016: Fraud, Money laundering
During November 2016, an investigation revealed that two individuals and five Close Corporations were involved in a scheme to obtain undue VAT refunds from SARS. The evidence indicates that the individuals and entities, referred to below, have committed or participated in various tax-related offences. They defrauded SARS, between 2002 and 2015, to the value R110 million actual loss and R440 million potential loss. Both suspects were detained, at the Cape Town Police Station, on 24 November 2016 and appeared in the Cape Town Magistrate Court, on 25 November 2016. During a search and seizure operation conducted at four premises, documents and electronic devices, confirming the commission of the offences, were seized. The matter is still under investigation. However, the evidence gathered implicates the individual's involvement in the scheme. On 21 February 2020, the accused in this matter appeared at the High Court and were convicted as follows, after a Section 105A plea and sentence agreement: Accused 1 was convicted, in respect of all 487 counts and sentenced to 17 years in prison and accused 2 was convicted, in respect of all 487 counts and sentenced to 16 years in prison.

REDUCE THE LEVELS OF SERIOUS ORGANISED CRIME

Serious Organised Crime Units investigate national priority offences, through serious organised crime project investigations. These crimes include the killing of police officials, CIT robberies, narcotics, non-ferrous metals, theft of copper cables, dealing in abalone, money laundering, fraud, gang-related murder, wildlife trafficking, illegal trade in tobacco products, corruption, forgery, car and truck hijacking, dealing in stolen property, cultivation of hydroponic cannabis and illegal drug production, as well as crimes regulated by the Prevention and Combating of Corrupt Activities Act, 2004 (Act No 12 of 2004) and the POCA,1998 (Act No 121 of 1998). In 2019/2020, 70% of registered serious organised crime project investigations were successfully closed, depicting an increase of 25,17%, from 44,83%, reported in 2018/2019.

Illicit drug laboratories are linked directly to the organised crime outcome in the NDP, 2030 and MTSF (2019-2024). The dismantling of clandestine drug laboratories has been designed to address serious organised crime, linked to organised criminal groups that are manufacturing illicit drugs that are in high demand, at national and international levels. A clandestine drug laboratory is a premises utilised for the illegal production of drugs, through the utilisation of precursor chemicals, equipment and natural products. It must be noted that the cultivating of cannabis plants is not a clandestine drug laboratory. However, the production of cannabis by-products or the cultivating of cannabis in a hydrophobic facility (hothouse) is classified as a clandestine drug laboratory.

The identification of a clandestine drug laboratory can be done by the Crime Intelligence Division or by means of an enquiry docket or through day-to-day investigation. An identified clandestine drug laboratory is dismantled when the precursor chemicals, equipment and natural products utilised for the illegal production of drugs has been disassembled and confiscated and can no longer be used for the production of drugs.

An arrest related to an identified clandestine drug laboratory, refers to the arrest and charging of a suspect that is linked to a specific identified clandestine laboratory/s, before the dismantling operation, either during the operation or because of further investigation after the dismantling operation. One suspect can be linked to more than one identified clandestine drug laboratory. Although more than one arrest can be executed for each identified clandestine drug laboratory, the indicator relates to the arrest of suspects and not number of suspects arrested, per clandestine drug laboratory.

The SANEB successfully identified and dismantled 24 clandestine laboratories, resulting in an achievement of 100% and the arresting of 56 suspects. A total number of 1 467 arrests were effected and 482 convictions were secured by Serious Organised Crime Units.

Drug seizures

Drug type	Arrests	Weight	Quantity	Value
Cocaine	23	30,225 kg	12	R19 568 713.30
Cocaine Rock	13	3,704 kg	2 132	R539 896.17
Dagga	32	862,175 kg	508	R2 200 011.92
Cannabis Oil	1	0,005 kg	1 (0,170 litre)	R53 300.00
Medication	6	675,000 kg	2 702	R1 156 220.00
Hydroponic dagga	4	1 902,220 kg	Measured in weight	R3 459 596.00
Ecstasy	0	0,073 kg	865	R49 484.75
Heroine	30	107,364 kg	16 454	R28 694 187.41
Heroine capsules	22	0,050 kg	50 915	R1 542 125.00
LSD	0	6,000 kg	2	R200.00
Mandrax tablets	37	70,000 kg	746 365	R51 344 468.10
Chemicals	8	10,828 kg	Measured in weight	R803 400.00
Crystal Meth (Tik-Tik)	32	73,470 kg	82	R38 995 630.00
Ephedrine	6	15,400 kg	Measured in weight	R1 770 000.00
KHAT	4	350,502 kg	Measured in weight	R363 640.00
CAT	30	48,514 kg	Measured in weight	R2 821 500.00
Laboratories	56	4 864 619,922 kg	51 933 (+50 000 litre)	R317 462 420.00
Total				**R470 825 317.65**

Serious Organised Crime Project Investigations relates to the successful closure of registered serious organised crime project investigations, aimed at an organised criminal group or groups committing serious crime, in an organised fashion. All serious organised crime project investigations are registered on the Organised Crime Thread Management System and is inclusive of all projects registered by any component within the DPCI. During a serious organised crime project investigation, the application of covert and overt investigation techniques is allowed for the gathering of evidence against members of organised criminal groups. The predetermined objectives of a serious organised crime project investigation, might include the dismantling of the functions of an organised criminal group; arresting and prosecuting targeted members of criminal groups; and ensuring the forfeiting of assets, which were obtained through illicit activities.

A serious organised crime project investigation is successfully closed only when all the predetermined objectives (100%) of the investigation have been achieved. A total number of 10 serious organised crime project investigations were closed, during 2019/2020. Of these, seven were closed successfully, calculating a 70% successful closure rate, resulting in the non-achievement of the 72% target. During the financial year, two investigations were closed and converted into major investigations, as early analysis confirmed that the registered projects could be more effectively investigated, by means of a major investigation. A total number of 13 active serious organised crime project investigations were carried over, from the 2018/2019 financial year and 33 new projects were registered during the year, resulting in 46 projects that were under investigation, in 2019/202020. The remainder of the projects will be carried over for further investigation, in the 2020/2021 financial year.

HIGHLIGHTS

KwaZulu-Natal: Fraud and contravention of the Bank Act, 1990 (Act No 94 of 1990)
The founder and director of a Pietermaritzburg-based investment company, known as Supreme National Stock Holdings, was arrested for alleged fraud and contravention of the Bank Act, 1990, committed between June 2019 and November 2019. It is alleged that the accused lured potential clients to make the deposits to purchase horse and trailer trucks, to be used for the transporting of coal to generate monthly returns for the investors. Approximately R500 million was deposited into the company account and no returns were paid to some of the investors.

KwaZulu-Natal: Municipal fraud and corruption
Nine suspects, attached to Ethekwini Municipality, including a company known as New Development, were arrested on allegations of fraud and corruption, in relation to a 2016 R208 million, Durban Solid Waste Tender, where service providers were allegedly paid huge amounts of monies, even though they did not render any service.

KwaZulu-Natal:Kidnapping
A prominent Pinetown-based business woman was kidnapped, in Witbank, for 162 days, where four suspects demanded a ransom of R140 million. Three luxury vehicles worth R3 million and a firearm was seized.

Free State: Fraud and corruption
The National Clean Audit Task Team has arrested a 53-year-old Dihlabeng Municipality manager and a security company owner, for committing fraud and corruption, between August 2016 and November 2018, amounting to over R35 million.

Limpopo: Tender irregularities
Two Correctional Deputy Directors, attached to the Kutama Senthumule Correctional Facility, were arrested for tender irregularities and money laundering for more than R10 million. An additional suspect was arrested for allegedly overpricing services, in return for gratification, amounting to over R2.3 million.

Western Cape: Fraud
A 65-year-old was arrested by the Serious Commercial Crime Investigation Team, for fraud worth more than R4.7 million, where the Department of Arts and Culture allocated funds for the upgrading, following an application to upgrade the Ray Alexander Simons Memory Centre Buildings, in Gugulethu. The former project manager, at Elgablox, allegedly misappropriated the funds, by making transfers to persons and or entities that were not related to the upgrading of the buildings. These transactions were carried out, between 23 March and 2 May 2014.

KwaZulu-Natal
A 37-year-old man was arrested after heroin, worth an estimated R4 million, was seized in his luxurious Ballito residence, just outside Durban. In another incident, a suspect was arrested and charged for dealing in Crystal Meth, with a value of R2.7 million, concealed in a spare wheel.

KwaZulu-Natal
Group Wreck International Non-Ferrous (Pty) Ltd, represented by the director, was convicted, for contravening the International Trade Administration Act, 2002 (Act No 71 of 2002), on 22 October 2019. The accused attempted to export two containers of copper, valued at R3 340 000.00, by hiding it as scrap metal and submitted a false declaration. During the process, the accused attempted to evade custom duties on these containers, as he did not have the necessary permit to export the copper.

Eastern Cape: Robbery
Three suspects were sentenced by the East London Regional Court to 10, 25 and 30-years direct imprisonment, respectively, for a robbery, which occurred at the Capitec Bank, in East London, in 2016, where security guards were robbed of their firearms and a cash estimate of R1.6 million.

Mpumalanga: Fraud and money laundering
Five suspects were arrested for alleged fraud and money laundering offences, committed between 2013 and 2014, whereby Eskom allegedly incurred losses estimated at R1.3 million.

Gauteng: Impersonating a police official and extortion
A 30-year-old former police officer, who is serving a 15 year sentence for several armed robberies, at the Kgosi Mampuru II Correctional Centre, was arrested for impersonating a police official and extortion. A 40-year-old suspect, who also impersonated a senior investigator, was also arrested.

PROVIDING SPECIALISED INVESTIGATIVE SUPPORT TO PREVENT, COMBAT AND INVESTIGATE CYBERCRIME

The successful investigation of cyber-related crime investigative support case files, supports the outcome in the NDP, 2030 and MTSF (2019-2024) associated with ensuring an effective response to cybercrime. The percentage of specialised cyber-related crime investigative support case files successfully investigated, relates to the successful provisioning of an investigative report on the investigation of specialised cyber-related crime investigative support case files, within a predetermined period. Cyber-related crime refers to internet-related fraud and/or an incident contravening the Electronic Communications and Transactions Act, 2002 (Act No 25 of 2002). The content of the investigative report on the investigation of cybercrime case files enables the detection, prevention, combating and/or investigation of cyber-related crime by investigative components. The request for specialised investigative support is finalised (successfully completed) when an investigative report has been finalised and the case file has been closed. Successfully finalised does not imply that a positive link to a crime was detected.

In 2018/2019, 26 cyber support files were not finalised and carried over, to the 2019/2020 financial year. During 2019/2020, an additional 65 cyber support files were received, resulting in 91 cyber support files for investigation, during the reporting cycle. Of the 73 that were finalised, 80,22% or 73 from a total of 91 was achieved, against a target of 55%, a 27,22% overachievement. The target was adjusted downwards, for 2019/2020, as the software licences used for the investigation of cyber support files, were due to expire, thus, impacting negatively on performance. The impact of expired software licences were, however, lower than expected. An increased number of cases were finalised, during the last quarter of the financial year, which can be contributed to high priority COVID-19-related cases assigned to the Cybercrime Unit. The investigation of these cases was of such a nature that it could have been investigated and finalised in a short period.

The average period it took to finalise cases brought forward from the previous financial year, was 342 days, whilst new cases, for the 2019/2020 financial year took an average of 61.5 days. This is of importance, as a time dimension has been included, as a measure, in 2020/2021, in an effort to improve on the turnaround time in the finalisation of the cyber support files.

The 18 cases not finalised in the reporting cycle, has been carried over to the 2020/2021 financial year, for investigation.

The Cybercrime Unit of the DPCI is assisted by the provisions of the Electronic Communications Transaction Act, 2002 (Act No 25 of 2002), which mandates the provision of the Cybercrime Bill.

HIGHLIGHTS

Sasolburg CAS 146/07/2019
The suspect was arrested with a point of sale device. A report was submitted, by Captain Verster, with regard to slips printed with the device. The prosecutor did not want to enrol the case, as the expert report was outstanding. The device was handed over to the Digital Forensic Investigation Unit and a report was submitted, with regard to the compromised device. The device contained magnetic card detail. The suspect was sentenced, on 4 September 2019 for the contravention of Section 45 or the Regulation of Interception of Communications and Provision of Communication-related Information Act, 2002 (Act No 70 of 2002) to five years in prison.

Groot Brakriver CAS 69/06/2016
The accused was sentenced to two life sentences and a further 18 years in prison on each of two robbery charges. Captain Nigrini worked under extreme pressure, on a short notice and after hours, to provide the High Court, in Mosselbay with a report regarding the forensic analysis of a computer and cellular telephones found in the possession of the accused. The fact that Captain Nigrini was prepared to consult at night, after driving from Cape Town, is a testimony to her hard work and dedication. Captain Nigrini's work contributed hugely in providing evidence that the laptop belonged to the deceased and connected the accused with other stolen property. Captain Nigrini's evidence was critical, in that it linked the accused with a person named "Tsokolo", the person who received the electronic transfer during the robbery. The Honourable Justice Sher thanked Captain Nigrini in an open court and demonstrated the court's appreciation for her commitment, skill and expertise.

Mannenberg CAS 185/02/2018
The defence provided video footage that created an *alibi* for the accused, at the time of the murder, for which he was being trailed. Captain Morris was requested to view the footage, with regards to the authenticity, thereof. The video clip caused the State to doubt its case. Captain Morris provided an expert opinion on CCTV footage, in the Cape High Court. Captain Morris's testimony related to the possibility that someone could possibly have tampered with the system, concerning the dates before recording. Captain Morris assisted the prosecutor during the cross-examination of the defence's expert. His testimony was accepted and the accused was found guilty.

Through interventions like the National Clean Audit Task Team under the Hawks, the DPCI is adamant about cleaning up our municipalities, so they can fulfil their primary mandate – not to adjudicate tenders, but to deliver services to our people. Some of the results includes, but is not limited to, a total of 49 arrests made recently, in Ethekwini, the City of Tshwane, Nala and Dihlabeng Municipalities. These interventions and investigations resulted in assets valued at R51 million being restrained. To ease the cost of doing business, larger urban municipalities will radically enhance the reliability, quality and availability of basic infrastructure services, improve their land use management processes and ensure the coordinated management of urban transport and housing. In line with our objective to restore, not just investor confidence, but regain the trust of our citizens, we have intensified the fight against corruption across government.

Commercial Crime: Number of cases received, arrests, convictions and values

Crime description	Cases received			Arrests/First appearances					Convictions				
	Number	Value (R)	Value (R)	Number			Value (R)		Number			Value (R)	
		Actual	Potential	Cases to court for the first time	SA Citizen	Non-Citizen	Actual	Potential	Cases	Counts	Accused	Actual	Potential
Internet-related fraud	96	62 024 777	0	11	18	0	170 000	0	2	5	5	542 088	0
Fraud with counterfeit credit cards	14	108 199	27 192	12	12	3	102 930	33 721	3	3	3	2 250	0
Fraud with stolen credit cards	2	22 000 000	0	0	0	0	0	0	0	0	0	0	0
Fraud with counterfeit debit and petrol cards	3	15 830	0	2	2	0	197 000	0	2	9	2	75 623	0
Counterfeiting of foreign currency (Prevention of Counterfeiting of Currency Act, 1965)	1	0	0	1	3	0	0	0	0	0	0	0	0
Counterfeiting of local currency (SA Reserve Bank Act, 1989)	2	109 500	0	6	1	0	1 750 109 500	0	2	2	2	0	0
Fraud with stolen cheques	9	125 600	3 587 231	6	6	0	0	0	0	0	0	0	0
Fraud with cloned and counterfeit cheques	5	2 399 000	0	1	1	0	1 246 500	0	0	0	0	0	0
Advance Fee Fraud (419 fraud)	28	70 328 540	0	4	4	1	0	0	0	0	0	0	0
Black dollar fraud scams	2	0	0	0	0	0	0	0	0	0	0	0	0
Kiteflying	11	4 928 559	0	0	0	0	0	0	1	12	1	273 756	0
Other fraud	2 098	9 933 099 602	1 332 525 891	469	571	31	2 070 696 460	23 175 151	258	23 807	431 247	456 650 797	10 250 565
Theft	317	710 703 772	8 514 806	89	95	2	54 263 853	2 147 360	31	1 609	24	50 811 942	126 600
Forgery and uttering	41	126 861 328	12 500	8	8	0	158 666 626	0	4	404	2	1 700 000	0
Prevention and Combating of Corrupt Activities Act, 2004 (Specify section of PRECCA (3 to 21)	35	307 596 459	190 000	3	16	0	13 495 815	0	0	0	0	0	0

Crime description	Cases received			Arrests/First appearances					Convictions				
	Number	Value (R)	Value (R)	Number			Value (R)		Number			Value (R)	
		Actual	Potential	Cases to court for the first time	SA Citizen	Non-Citizen	Actual	Potential	Cases	Counts	Accused	Actual	Potential
Section 2 of the POCA, 1998	0	0	0	1	1	1	0	0	0	0	0	0	0
Section 4 of the POCA, 1998	2	13 427 770	3 000 000	3	2	1	9 000 000	0	7	7	0	0	0
Section 5 of the POCA, 1998	0	0	0	0	0	0	0	0	0	0	0	0	0
Section 6 of the POCA, 1998	0	0	0	0	0	0	0	0	0	0	0	0	0
Exchange Control Regulations aa (Section 9 of Currency and Exchanges Act, 1933)	0	0	0	2	9	0	23 405 835	0	0	0	0	0	0
Insolvency Act, 1936	1	403 944	0	1	1	0	5 274 300	0	0	0	0	0	0
Companies Act, 2008	26	717 705 557	11 559 197	8	8	0	35 000 000	0	0	0	0	0	0
Close Corporations Act, 1984	0	0	0	0	0	0	0	0	0	0	0	0	0
National Credit Act, 2005	16	377 393	0	17	19	2	98 470	0	15	733	15	2 273	0
Magistrate's Court Act, 1944	0	0	0	1	1	0	25 000	0	0	0	0	0	0
Merchandise Marks Act, 1941	0	0	0	0	0	0	0	0	0	0	0	0	0
Counterfeit Goods Act, 1997	139	26 762 483	51 536 357	41	26	26	62 726 050	23 253 846	27	9229	27	11 822 272	50 350 830
Attorneys Act, 1979 (Act No 53 of 1979)	19	17 786 438	0	2	2	0	0	0	1	5	5	54 087	0
Banks Act, 1990 (Act No 94 of 1990)	18	1 874 070 933	0	3	6	0	298 150	0	0	0	0	0	0
Copyright Act, 1978 (Act No 98 of 1978)	1	0	0	0	1	0	0	5 000	0	0	0	0	0
Customs and Excise Act, 1964 (Act No 91 of 1964)	50	62 370 256	7 666 500	35	33	22	51 335 154	7 666 500	11	14	11	46 422 094	0

ANNEXURE IP17 666

Crime description	Cases received			Arrests/First appearances					Convictions				
	Number	Value (R)	Value (R)	Number			Value (R)		Number			Value (R)	
		Actual	Potential	Cases to court for the first time	SA Citizen	Non-Citizen	Actual	Potential	Cases	Counts	Accused	Actual	Potential
Electronic Communications and Transactions Act, 2002 (Act No 25 of 2002)	43	1 795 419	275 123	35	24	16	147 971	9 630 262	21	74	14	159 659	220 733
Estate Agency Affairs Act, 1976 (Act No 112 of 1976)	2	20 005 000	0	0	0	0	0	0	0	0	0	0	0
Films and Publications Act, 1996 (Act No 65 of 1996)	0	0	0	0	0	0	0	0	0	0	0	0	0
Identification Act, 1997 (Act No 68 of 1997)	2	0	31 200	1	1	0	0	350 000	0	0	0	0	0
Income Tax Act, 1962 (Act No 58 of 1962)	46	746 040 455	949 835	36	45	0	113 891 450	274 485	23	1 040	153	22 015 845	0
Social Assistance Act, 1992 (Act No 59 of 1992)	3	1 320	0	1	1	0	1 320	0	2	2	1	123 488	0
Tobacco Products Control Amendment Act, 2008 (Act No 63 of 2008)/Tobacco Products Control Act, 1993 (Act No 83 of 1993)	11	5 933 419	0	0	0	0	0	0	0	0	0	0	0
Value-Added Tax Act, 1991 (Act No 89 of 1991)	106	785 331 466	859 200	39	48	4	42 790 413	0	21	756	27	81 155 685	0
Other serious commercial crimes not mentioned above	44	600 256 934	0	4	2	2	0	0	5	17	3	1	0
Total	**3 193**	**16 112 569 953**	**1 420 735 033**	**842**	**967**	**111**	**4 392 942 797**	**66 536 326**	**436**	**37 728**	**431 542**	**671 811 859**	**60 948 728**

STATISTICAL PERFORMANCE INFORMATION

Objective statement	Performance Information	Estimated performance (2019/2020 to 2021/2022)	Actual performance, for 2019/2020
Effective investigation of serious crime	Conviction rate for serious crimes	Increase, to 88,77%, in 2019/2020	89,74% (111 004 from a total of 123 690).
	Conviction rate for contact crimes	Increase, to 81,03%, in 2019/2020	82,36% (38 667 from a total of 46 951).
	Conviction rate for crimes committed against women (18 years and above) (Murder, attempted murder, all sexual offences, common assault and assault GBH)	Increase, to 84,25%, in 2019/2020	85,21% (14 499 from a total of 17 016).
	Conviction rate for crimes committed against children (under 18 years) (Murder, attempted murder, all sexual offences, common assault and assault GBH)	Increase, to 81,90%, in 2019/2020	80,32% (4 694 from a total of 5 844).
	Conviction rate for contact-related crimes	Increase, to 87,15%, in 2019/2020	87,20% (4 755 from a total of 5 453).
	Conviction rate for property-related crimes	Increase, to 89,20%, in 2019/2020	90,10% (14 175 from a total of 15 733).
	Conviction rate for other serious crimes	Increase, to 95,75%, in 2019/2020	96,14% (53 407 from a total of 55 553).
	Conviction rate for criminal and violent conduct during public protests	Increase, to 63,83%, in 2019/2020	74,13% (106 from a total of 143).
	Percentage reduction in outstanding person-to-person case forensic investigative leads	Reduce, by 26%, in 2019/2020	Increased, by 45,13% from 866, in 2018/2019 to 1 919, in 2019/2020.
	Percentage reduction in contact crime case dockets, older than three years	Reduce, by 14,05%, in 2019/2020	Reduced, by 9,33% (2 031 from a total of 21 768).

OVERALL PERFORMANCE

The Detective Services Programme identified 40 targets, for the 2019/2020 financial year, compared to 39, in 2018/2019. A total number of 25 targets were achieved and 15 targets were not achieved, in 2019/2020.

STRATEGIES TO OVERCOME AREAS OF UNDERPERFORMANCE

The Detective Services Programme underperformed in the following areas, in 2019/2020:

- Detection rate for serious crimes
- Detection rate for contact crimes
- Detection rate for crimes committed against women (18 years and above)
- Detection rate for crimes committed against children (under 18 years)
- Detection rate for other serious crimes
- Detection rate for serious crimes at the identified 30 high crime weight stations
- Detection rate for contact crimes at the identified 30 high crime weight stations
- Percentage of registered case exhibits (entries) exceeding the prescribed time frame
- Percentage of results of trail updated, in respect of guilty verdict
- Percentage of results of trail updated, in respect of not guilty verdict
- Percentage of routine case exhibits (entries) finalised
- Percentage of Ballistics Intelligence (IBIS) case exhibits (entries) finalised
- Percentage of Biology DNA Intelligence case exhibits (entries) finalised
- Percentage of registered serious organised crime project investigations successfully closed
- Percentage of trial-ready case dockets for serious commercial crime-related charges

STRATEGIES THAT HAVE BEEN/WILL BE IMPLEMENTED TO ADDRESS THE UNDERPERFORMANCE

Detection rate for serious crimes, Detection rate for contact crimes, Detection rate for crimes committed against women (18 years and above), Detection rate for crimes committed against children (under 18 years), Detection rate for other serious crimes, Detection rate for serious crimes at the identified 30 high crime weight stations, Detection rate for contact crimes at the identified 30 high crime weight stations

The measurement of new performance indicators, in the 2020/2021 APP, namely; the reduction in outstanding case dockets related to crimes against women (18 years and above) and children (below 18 years) older than one year, identified drug syndicates neutralised with arrests, the increase in the number of arrests for dealing in illicit drugs and identified organised criminal groups neutralised with arrests.

Percentage of registered case exhibits (entries) exceeding the prescribed time frame, Percentage of results of trail updated, in respect of guilty verdict, Percentage of results of trail updated, in respect of not guilty verdict, Percentage of routine case exhibits (entries) finalised, Percentage of Ballistics Intelligence (IBIS) case exhibits (entries) finalised, Percentage of Biology DNA Intelligence case exhibits (entries) finalised

The ageing of AFIS Hardware had a negative impact in the finalisation rate, due to the fact that it is regularly down. In addition the system does not have spare parts as a backup. Re-distribute work to LCRCs, nationally, with a manageable workload. In terms of forensic-related performance, an operational budget is to be allocated, in order to advertise procurement bids and to implement a forensic strategy.

Percentage of registered serious organised crime project investigations successfully closed and Percentage of trial-ready case dockets for serious commercial crime-related charges

Enhance the quantity and quality of inspections, to advance the skills set of members and commanders, as well as on-the-job training/mentoring programmes. Maintain the relationship with the NPA (Specialised Commercial Crime Unit, regional and lower courts). Prioritise outstanding investigations and eliminate unnecessary delays in investigation processes. The strengthening of monitor mechanisms, to ensure the management of project-driven investigations. Regular audits of the Organised Crime Threat Management System, as well as emphasis on the utilisation of Proceeds of Crime Act prosecutions.

CHANGES TO PLANNED TARGETS

There were no changes to planned targets, in 2019/2020.

LINKING PERFORMANCE WITH BUDGETS

SUBPROGRAMME EXPENDITURE

Subprogramme	2019/2020			2018/2019		
	Final appropriation	Actual expenditure	(Over)/ under expenditure	Final appropriation	Actual expenditure	(Over)/ under expenditure
	R'000	R'000	R'000	R'000	R'000	R'000
Crime Investigations	13 279 284	13 279 284	-	12 771 817	12 655 818	115 999
Criminal Record Centre	2 596 245	2 446 261	149 984	2 629 719	2 365 938	263 781
Forensic Science Laboratory	1 694 453	1 364 747	329 706	1 930 286	1 178 934	751 352
Specialised Investigations	1 777 127	1 777 127	-	1 627 476	1 627 476	-
Total	**19 347 109**	**18 867 419**	**479 690**	**18 959 298**	**17 828 166**	**1 131 132**

4.4 PROGRAMME 4: CRIME INTELLIGENCE

PROGRAMME OVERVIEW
The purpose of the Crime Intelligence Programme is to manage crime intelligence and analyse crime information and provide technical support for investigations and crime prevention operations. The Programme objectives are to gather crime intelligence, in support of the prevention, combating and investigation of crime; to collate, evaluate, analyse, coordinate and disseminate intelligence for the purpose of tactical, operational and strategic utilisation; to institute counter-intelligence measures within the SAPS; and to prevent and fight crime, through enhanced international cooperation and innovation on police and security matters. The Crime Intelligence Programme comprises the following two subprogrammes: » **Crime Intelligence Operations** provides for intelligence-based criminal investigations. » **Intelligence and Information Management** provides for the analysis of crime intelligence patterns that will facilitate crime detection, in support of crime prevention and crime investigation. The Crime Intelligence Division is responsible for the outputs for both subprogrammes. Tables 13 and 14 below, outline the actual performance for strategic performance indicators and annual performance indicators, against set targets for the subprogrammes under Programme 4.

STRATEGIC PERFORMANCE INDICATORS, PLANNED TARGETS AND ACTUAL ACHIEVEMENTS

SUBPROGRAMMES: CRIME INTELLIGENCE OPERATIONS AND INTELLIGENCE AND INFORMATION MANAGEMENT

Table 13: Actual performance against targets

Objective statement	Performance indicator	Actual achievement 2016/2017	Actual achievement 2017/2018	Actual achievement 2018/2019	Planned target 2019/2020	Actual achievement 2019/2020	Deviation from planned target to actual achievement 2019/2020	Comment on deviation
Subprogramme: Crime Intelligence Operations								
Conduct network operations[53] to infiltrate/penetrate criminal groupings/ syndicates and collect intelligence on priority threats	Percentage of network operations successfully[54] terminated	New performance indicator, in 2018/2019.	New performance indicator, in 2018/2019.	35,38% (311 from a total of 879).	100% (570)	140,18% (799 from a total of 570).	40,18% points	Target achieved. National interventions, by means of inspections and performance monitoring.
Conduct security risk and vetting assessments within the SAPS	Percentage of security risk and vetting assessments conducted	New performance indicator, in 2019/2020.	New performance indicator, in 2019/2020.	New performance indicator, in 2019/2020.	100% (4 954)	131,67% (6 523 from a total of 4 954).	31,67% points	Target achieved. The implementation of a Vetting Strategy, to enhance vetting within the SAPS and a Counter Intelligence Strategy, to enhance, *inter alia*, security standards within Crime Intelligence and the SAPS, over a 3-year period.

ANNEXURE IP17 672

Objective statement	Performance indicator	Actual achievement 2016/2017	Actual achievement 2017/2018	Actual achievement 2018/2019	Planned target 2019/2020	Actual achievement 2019/2020	Deviation from planned target to actual achievement 2019/2020	Comment on deviation
Subprogramme: Intelligence and Information Management								
Operationalisation of intelligence reports generated	Percentage of intelligence reports that were operationalised	New performance indicator, in 2019/2020.	New performance indicator, in 2019/2020.	New performance indicator, in 2019/2020.	70,00%	79,23% (250 835 from a total of 316 601).	9,23% points	Target achieved. A new "feedback-form system" was implemented by the Crime Intelligence Provincial Heads/ Intelligence Analysis and Coordination Head, increasing feedback from clients.
Promote mutual assistance and cooperation between the SAPS and other National and International Law Enforcement Agencies to address transnational crime	Percentage of cross-border operations[55] and arrests of identified transnational crime suspects facilitated[56], in relation to requests received from INTERPOL member countries	New performance indicator, in 2019/2020.	New performance indicator, in 2019/2020.	New performance indicator, in 2019/2020.	100%[57]	63,83% (30 from a total of 47).	-36.17% points	Target not achieved. At the end of the financial year, 13 of the suspects have been arrested, but the file could not be finalised, due to outstanding court proceedings, mutual legal assistance that is awaited and outstanding requests for extradition/arrest.

ANNUAL PERFORMANCE INDICATORS PLANNED TARGETS AND ACTUAL ACHIEVEMENTS

SUBPROGRAMMES: CRIME INTELLIGENCE OPERATIONS AND INTELLIGENCE AND INFORMATION MANAGEMENT

Table 14: Actual performance against targets

Objective statement	Performance indicator	Actual achievement 2016/2017	Actual achievement 2017/2018	Actual achievement 2018/2019	Planned target 2019/2020	Actual achievement 2019/2020	Deviation from planned target to actual achievement 2019/2020	Comment on deviation
Subprogramme: Crime Intelligence Operations								
Conduct security risk and vetting assessments within the SAPS	Percentage of security clearances finalised, in relation to the total planned annually	45,38% (1 111 from a total of 2 448) employees vetted.	1 356 vetting investigations finalised.	1 215 vetting investigations finalised.	100% (1 154)	111,53% (1 287, in relation to 1 154 planned).	11,53% points	Target achieved. The implementation of a Vetting Strategy, to enhance vetting within the SAPS, over a 3-year period.
	Percentage of ICT security assessments[58] finalised, in relation to the total planned annually	99,97% (3 294 from a total of 3 295).	103,99% (2 996 from a total of 2 881).	239,86% (3 310, in relation to 1 380 planned).	100% (3 160)	140,51% (4 440, in relation to 3 160 planned).	40,51% points	Target achieved. The implementation of a Counter Intelligence Strategy to enhance, *inter alia*, security standards within Crime intelligence and the SAPS, over a 3-year period.

Objective statement	Performance indicator	Actual achievement 2016/2017	Actual achievement 2017/2018	Actual achievement 2018/2019	Planned target 2019/2020	Actual achievement 2019/2020	Deviation from planned target to actual achievement 2019/2020	Comment on deviation
Conduct security risk and vetting assessments within the SAPS	Percentage of mandatory physical security assessments[59] finalised, in relation to the total planned annually	414 requests finalised.	99,52% (830 from a total of 834).	113,59% (727, in relation to 640 planned).	100% (640)	124,38% (796, in relation to 640 planned).	24,38% points	Target achieved. The implementation of a Counter Intelligence Strategy to enhance, *inter alia*, security standards within Crime Intelligence and the SAPS, over a 3-year period.
	Percentage of security awareness programmes[60] conducted, in relation to the total planned annually	New performance indicator, in 2018/2019.	New performance indicator, in 2018/2019.	214,55% (354, in relation to 165 planned).	100% (306)	175,16% (536, in relation to 306 planned).	75,16% points	Target achieved. The implementation of a Counter Intelligence Strategy to enhance, *inter alia*, security standards within Crime Intelligence and the SAPS, over a 3-year period.
Subprogramme: Intelligence and Information Management								
Operationalisation of proactive intelligence reports generated	Percentage of proactive intelligence reports that were operationalised at cluster level	New performance indicator, in 2019/2020.	New performance indicator, in 2019/2020.	New performance indicator, in 2019/2020.	70,00%	88,93% (39 554 from a total of 44 476).	18,93% points	Target achieved. A new "feedback-form system" was implemented by Crime Intelligence Provincial Heads, increasing feedback from clients at cluster/district level.

Objective statement	Performance indicator	Actual achievement 2016/2017	Actual achievement 2017/2018	Actual achievement 2018/2019	Planned target 2019/2020	Actual achievement 2019/2020	Deviation from planned target to actual achievement 2019/2020	Comment on deviation
Operationalisation of proactive intelligence reports generated	Percentage of proactive intelligence reports that were operationalised at provincial level	New performance indicator, in 2019/2020.	New performance indicator, in 2019/2020.	New performance indicator, in 2019/2020.	80,00%	78,69% (11 094 from total of 14 099).	-1,31% points	Target not achieved. Some of the intelligence products generated were not immediately operationalised and will only be used at a later stage and/or operationalised after the end of the financial year.
	Percentage of proactive intelligence reports that were operationalised at national level	New performance indicator, in 2019/2020.	New performance indicator, in 2019/2020.	New performance indicator, in 2019/2020.	90,00%	99,38% (4 460 from a total of 4 488).	9,38% points	Target achieved. A new "feedback-form system" was implemented by the Intelligence Analysis and Coordination Head, increasing feedback from clients at national level.
Operationalisation of reactive intelligence reports generated	Percentage of reactive intelligence reports that were operationalised at cluster level	New performance indicator, in 2019/2020.	New performance indicator, in 2019/2020.	New performance indicator, in 2019/2020.	70,00%	80,38% (160 529 from total of 199 725).	10,38% points	Target achieved. A new "feedback-form system" was implemented by Crime Intelligence Provincial Heads, increasing feedback from clients at cluster/district level.

Objective statement	Performance indicator	Actual achievement 2016/2017	Actual achievement 2017/2018	Actual achievement 2018/2019	Planned target 2019/2020	Actual achievement 2019/2020	Deviation from planned target to actual achievement 2019/2020	Comment on deviation
Operationalisation of reactive intelligence reports generated	Percentage of reactive intelligence reports that were operationalised at provincial level	New performance indicator, in 2019/2020.	New performance indicator, in 2019/2020.	New performance indicator, in 2019/2020.	80,00%	61,47% (27 796 from a total of 45 219).	-18,53% points	Target not achieved. Some of the intelligence products generated were not immediately operationalised and will only be used at a later stage and/or operationalised after the end of the financial year.
	Percentage of reactive intelligence reports that were operationalised at national level	New performance indicator, in 2019/2020.	New performance indicator, in 2019/2020.	New performance indicator, in 2019/2020.	90,00%	86,13% (7 402 from a total of 8 594).	-3,87% points	Target not achieved. Some of the intelligence products generated were not immediately operationalised and will only be used at a later stage and/or operationalised after the end of the financial year.
Promote mutual assistance and cooperation between the SAPS and other National and International Law Enforcement Agencies to address transnational crime	Percentage of cross-border operations facilitated, on request from INTERPOL member countries	100% (35 from a total of 35).	88,88% (8 from a total of 9).	100% (3 from a total of 3).	100%[61]	100% (10 from a total of 10).	-	Target achieved.

Objective statement	Performance indicator	Actual achievement 2016/2017	Actual achievement 2017/2018	Actual achievement 2018/2019	Planned target 2019/2020	Actual achievement 2019/2020	Deviation from planned target to actual achievement 2019/2020	Comment on deviation
Promote mutual assistance and cooperation between the SAPS and other National and International Law Enforcement Agencies to address transnational crime	Percentage of arrests of identified transnational crime suspects facilitated, in relation to requests received from INTERPOL member countries	100% (341 from a total of 341).	100% (18 from a total of 18).	100% (4 from a total of 4).	100%[62]	54,05% (20 from a total of 37).	-45,95%	Target not achieved. At the end of the financial year, 13 of the suspects have been arrested, but the file could not be finalised, due to outstanding court proceedings, mutual legal assistance that is awaited and outstanding requests for extradition/arrest.

SERVICE DELIVERY ACHIEVEMENTS

CRIME INTELLIGENCE

- Managing, coordinating, analysing and operationalising all relevant crime information, through intelligence analysis centres and nodal points on national, provincial and district/cluster level, in support of identified clients.
- Promote mutual assistance and cooperation between the SAPS (INTERPOL) and other National and International Law Enforcement Agencies, to reduce transnational crime, including the placement of SAPS Liaison Officers in SADC and prioritised RSA Trade Agreement countries.
- Instituting counter-intelligence measures within the SAPS, in order to ensure that information and personnel are secured as prescribed in the Minimum Information Security Standards, other laws and regulations.
- Contributing towards the neutralisation of crime, by gathering (covert and overt) and supplying accurate and court-directed intelligence on national, provincial and district/cluster level, for the purpose of strategic and tactical usage.
- Providing an effective and efficient general administration service (funded through the account for secret services), undercover operation coordination service and source and agent networks to the covert-related functions of SAPS Crime Intelligence.
- Providing an effective and efficient cybercrime, surveillance and technical support service, in support of the gathering and supplying of accurate and court-directed intelligence for the purposes of strategic and tactical usage.
- Providing an effective and efficient generic support service, with regard to all resources available (funded through the open account of the SAPS).

The SAPS is responsible for the gathering, centralisation, integration, management and coordination of intelligence. Legislative prescriptions require the SAPS to confine its intelligence activities to crime, criminal activities and security-related matters. An essential support service is provided to all operational divisions within the SAPS, through the Crime Intelligence Division, to address crime and related activities with the ultimate purpose of neutralising threats to public safety. Functioning within strict legal and regulatory parameters, intelligence-gathering, analysis and supplementary activities are conducted with due regard to constitutionally protected rights of individuals. In order to address crime threats and/or organised crime, as defined by Section 16(2) of the South African Police Service Act, 1995 (Act No 68 of 1995) and the National Strategic Intelligence Act, 1994 (Act No 39 of 1994), specifically empowers the SAPS regarding its intelligence functions.

SUBPROGRAMME: CRIME INTELLIGENCE OPERATIONS

NETWORK OPERATIONS TO INFILTRATE/PENETRATE CRIMINAL GROUPINGS/SYNDICATES AND COLLECT INTELLIGENCE ON PRIORITY THREATS

Network operations are undertaken, on provincial and district/cluster levels, to gather intelligence/information so that a situation can be better understood or to generate intelligence/information on a criminal organisation, groups or individuals, which could be turned into evidence for use in a court of law. A total number of 799 network operations were successfully terminated, against the planned target of 570, in 2019/2020, overachieving the target by 40,18%. A network operation has a lifespan of between three to six months with the option to extend the operation, if approved by the respective approval committee.

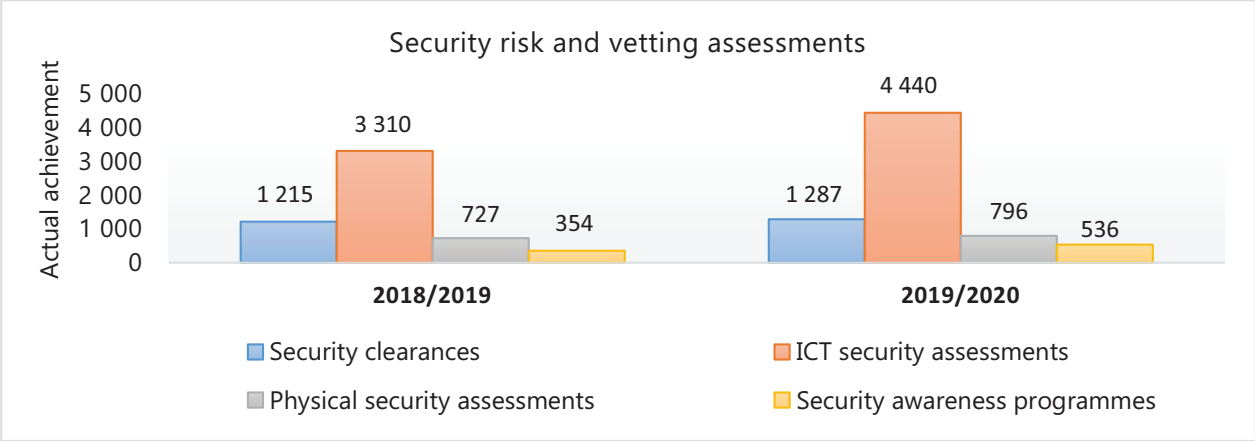
SECURITY RISK AND VETTING ASSESSMENTS

Vetting entails the systematic investigation/examination process, to determine a SAPS employee's competence, that is, his or her loyalty to the Constitution of the Republic of South Africa, 1996 and his or her integrity and reliability, with regard to classified and confidential information. Vetting is one of the most basic defensive measures in the protection of classified and confidential information. A total of 1 287 security clearances were issued, overachieving the planned target of 1 154, by 11,53%, in 2019/2020. In order to enhance service delivery in this field, the SAPS developed and implemented the Vetting Strategy, which seeks to enhance and modernise the vetting processes/ procedures and to down manage the current vetting backlog.

ICT security assessments are performed to identify the current security posture of relevant information systems of the SAPS. These assessments provide recommendations for improvement, which allows the SAPS to reach a security goal that mitigates risks and minimises security breaches. A total of 4 440 ICT security assessments were finalised, overachieving on the planned target of 3 160, by 40,51%.

Physical security assessments are performed to identify the current security posture of relevant sites (buildings/facilities) of the SAPS. These assessments provide recommendations for improvement, which allows the SAPS to reach a security goal that mitigates risks and minimises security breaches. A total of 796 physical security assessments were finalised, in 2019/2020, overachieving on the planned target of 640, by 24,38%.

Security awareness programmes are conducted to sensitise SAPS personnel, working in sensitive/ classified environments on information security legislation, policies and directives. This is aimed at increasing compliance levels and minimising security breaches. A total of 536 security awareness programmes were conducted, overachieving on the planned target of 306, by 75,16%.



HIGHLIGHTS

A two year intelligence-led operation, into an alleged terrorism-plot, resulted in the arrest of four suspects, in Mpumalanga, belonging to a right-wing group, during November 2019. The group allegedly planned to target NKPs, shopping malls and informal settlements, in the RSA.

The dedicated efforts of the Crime Intelligence National CIT Heist Task Team contributed to the arrest of 103 suspects, the seizure of 40 stolen vehicles and 37 firearms, as well as more than R13,5 million, in cash.

During November 2019, the Crime Intelligence Provincial Head, in the Western Cape Province, led a multidisciplinary integrated team consisting of officers and members of Crime Intelligence and the DPCI to execute an operation and seized illegal narcotic-related substances, valued at R100 million. Intelligence was based on a three month investigation where a clandestine laboratory was identified, in the Free State which manufactured methaqualone for distribution, in the Western Cape. The risks of chemical exposure were not only to those who mixed the chemicals (also called cooks or cookers), but also to anyone in the area. These chemicals can also be ingested through contaminated food, beverages or direct exposure to clandestine laboratories. Contact with these chemicals can also lead to fatal poisoning, internal chemical burns, damage to organ functioning and harm to neurological and immunologic functioning. Crime Intelligence, in the Western Cape Province also executed the same type of operations, in Mpumalanga with success (seizures valued at R210 million).

During February 2020, a joint operation at ORTIA, of which Crime Intelligence was part of, apprehended three business class passengers, who were traveling from across the world, with almost 30 kg of drugs between them with an estimated street value of R26 million.

SUBPROGRAMME: INTELLIGENCE AND INFORMATION MANAGEMENT

OPERATIONALISATION OF INTELLIGENCE REPORTS GENERATED

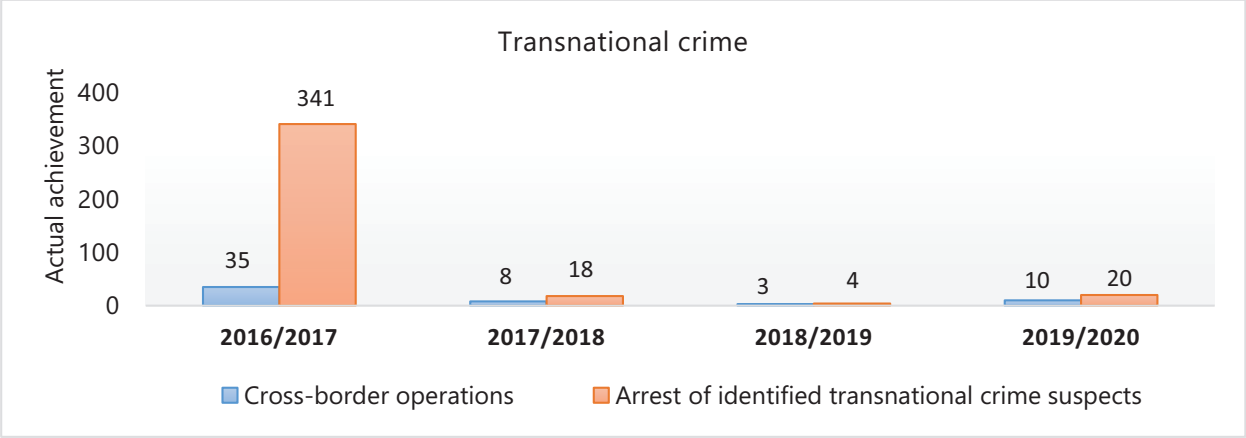
Proactive intelligence products include threat and risk assessment and early warning reports. The purpose of a threat and risk assessment is to provide intelligence/information to operational units for the purpose of preventing the perpetration of certain criminal acts. It is also used to determine the force and resources required for deployment to address identified crime threats/risks, effectively. Early warnings are reports containing proactive information of an imminent threat that is either being planned or is already emerging and requires policing intervention. In order to determine the quality and impact of proactive intelligence reports supplied to operational units, the operationalisation of proactive intelligence reports on national, provincial and district/cluster level is measured. A total number of 4 460 proactive intelligence reports were operationalised, from a total of 4 488 that were supplied on national level, achieving 99,38% of the planned target of 90%. On provincial level a total number of 11 094 proactive intelligence reports were operationalised, from a total of 14 099 that were supplied, achieving 78,69% of the planned target of 80%. On district/cluster level a total number of 39 554 proactive intelligence reports were operationalised, from a total of 44 476 that were supplied, achieving 88,93% of the planned target of 70%.

Reactive intelligence products include profiles and intelligence analysis reports, such as communication analysis reports, association/network analysis reports, etc. In order to determine the quality and impact of reactive intelligence reports supplied to operational units, the operationalisation of reactive intelligence reports on national, provincial and district/cluster level is measured. A total number of 7 402 reactive intelligence reports were operationalised, from a total of 8 594 that were supplied on national level, achieving 86,13% of the planned target of 90%. On provincial level a total number of 27 796 reactive intelligence reports were operationalised, from a total of 45 219 that were supplied, achieving 61,47% of the planned target of 80%. On district/

cluster level a total number of 160 529 reactive intelligence reports were operationalised, from a total of 199 725 that were supplied, achieving 80,38% of the planned target of 70%.

PROMOTE MUTUAL ASSISTANCE AND COOPERATION BETWEEN THE SAPS AND OTHER NATIONAL AND INTERNATIONAL LAW ENFORCEMENT AGENCIES TO ADDRESS TRANSNATIONAL CRIME

INTERPOL is responsible to facilitate requests, with regard to the participation in crime operations, between the SAPS and other national and international law enforcement agencies and the arrest of transnational crime suspects. INTERPOL facilitated 10 or 100% cross-border operations requested, which were conducted to neutralise transnational crime threats and to reduce transitional crimes. INTERPOL further facilitates requests, received from other national and international law enforcement agencies, for the arrest of transnational crime suspects, who are hiding in South Africa, for which a lawful warrant of arrest has been issued. The purpose is to ensure that perpetrators arrested in South Africa are brought to book and extradited to stand trial for the crime committed in the requesting country. A total of 20 arrests of identified transnational crime suspects, out of 37 requests received, were facilitated by INTERPOL, during the 2019/2020 financial year.



STATISTICAL PERFORMANCE INFORMATION

Objective statement	Performance Information	Estimated performance (2019/2020 to 2021/2022)	Actual performance, for 2019/2020
Generate intelligence reports, in support of proactive SAPS operations	Number of threat and risk assessment reports generated for proactive policing operations	Increase, over the medium-term, to 43 014	33 172
	Number of early warning reports generated for proactive policing operations	Maintain 27 150, over the medium-term	29 891

Objective statement	Performance Information	Estimated performance (2019/2020 to 2021/2022)	Actual performance, for 2019/2020
Generate intelligence reports, in support of reactive SAPS operations	Number of profiles generated for reactive policing operations	Maintain 108 105, over the medium-term	86 454
	Number of intelligence analysis reports generated for reactive policing operations	Maintain 155 565, over the medium-term	167 084
Promote mutual assistance and cooperation between the SAPS and other National and International Law Enforcement Agencies, to address transnational crime	Number of quarterly global threat assessment reports generated	Maintain 4, over the medium-term	4
	Number of persons of interest reports generated	Maintain 4, over the medium-term	4

OVERALL PERFORMANCE

The Crime Intelligence Programme identified 16 targets, for the 2019/2020 financial year, compared to 15, in 2018/2019. A total number of 11 targets or 68,75% were achieved and five targets were not achieved, in 2019/2020.

STRATEGIES TO OVERCOME AREAS OF UNDERPERFORMANCE

The Crime Intelligence Programme underperformed in the following areas:

- Percentage of cross-border operations and arrests of identified transnational crime suspects facilitated, in relation to requests received from INTERPOL member countries
- Percentage of proactive intelligence reports that were operationalised at provincial level
- Percentage of reactive intelligence reports that were operationalised at provincial level
- Percentage of reactive intelligence reports that were operationalised at national level
- Percentage of arrests of identified transnational crime suspects facilitated, in relation to requests received from INTERPOL member countries

STRATEGIES THAT HAVE BEEN/WILL BE IMPLEMENTED TO ADDRESS THE UNDERPERFORMANCE

The Crime Intelligence Corporate Renewal Strategy, which is in its second year of implementation was developed and aimed at enhancing service delivery and addressing the areas of underperformance. The Strategy focuses on the optimisation of intelligence collection, the enhancing of intelligence analysis and coordination, ensuring effective counter-intelligence, the establishing of security intelligence to uphold the authority of the State, the managing of INTERPOL obligations and cooperation, the developing of the skills of members in the crime intelligence

environment, as well as establishing a culture of performance management. Two other strategies, namely; the Counter Intelligence Strategy that seeks to position, capacitate and resource counter intelligence, including the security intelligence environment and the Vetting Strategy, that seeks to enhance and modernise vetting processes/procedures and to down manage the vetting backlog, is also in its second year of implementation and aimed at further enhancing service delivery.

CHANGES TO PLANNED TARGETS

There were no changes to planned targets, in 2019/2020.

LINKING PERFORMANCE WITH BUDGETS

SUBPROGRAMME EXPENDITURE

Subprogramme	2019/2020			2018/2019		
	Final appropriation	Actual expenditure	(Over)/ under expenditure	Final appropriation	Actual expenditure	(Over)/under expenditure
	R'000	R'000	R'000	R'000	R'000	R'000
Crime Intelligence Operations	1 668 996	1 668 996	-	1 590 454	1 590 454	-
Intelligence and Information Management	2 486 778	2 486 778	-	2 291 781	2 291 781	-
Total	**4 155 774**	**4 155 774**	**-**	**3 882 235**	**3 882 235**	**-**

4.5 PROGRAMME 5: PROTECTION AND SECURITY SERVICES

PROGRAMME OVERVIEW
The purpose of the Protection and Security Services Programme is to provide protection and security services to all identified dignitaries and government interests. The programme objective is to minimise security violations by protecting foreign and local prominent people and securing strategic interests. The Protection and Security Services Programme comprises the following three subprogrammes: **VIP Protection Services** provides for the protection of the president, deputy president, former presidents, their spouses and other identified dignitaries while in transit. **Static and Mobile Security** provides for the protection of other local and foreign dignitaries and the places in which all dignitaries, including persons related to the president and deputy president are present. **Government Security Regulator** provides for security regulations and evaluations, the administration of National Key Points and strategic installations. The Protection and Security Services Division and the Presidential Protection Service Component are responsible for the outputs for all three subprogrammes. Tables 15, 16 and 17 below, outline the actual performance for strategic performance indicators and annual performance indicators, against set targets for the subprogrammes under Programme 5.

STRATEGIC PERFORMANCE INDICATORS, PLANNED TARGETS AND ACTUAL ACHIEVEMENTS

SUBPROGRAMMES: VIP PROTECTION SERVICES, STATIC AND MOBILE SECURITY AND GOVERNMENT SECURITY REGULATOR

PROTECTION AND SECURITY SERVICES DIVISION AND PRESIDENTIAL PROTECTION SERVICE COMPONENT

Table 15: Actual performance against targets

Objective statement	Performance indicator	Actual achievement 2016/2017	Actual achievement 2017/2018	Actual achievement 2018/2019	Planned target 2019/2020	Actual achievement 2019/2020	Deviation from planned target to actual achievement 2019/2020	Comment on deviation
Subprogramme: VIP Protection Services								
Provision of in-transit and static protection	Percentage of protection provided to VIPs without security breaches PSS & PPS	100% in-transit protection provided, without security breaches.	100% in-transit protection provided, without security breaches.	100% in-transit protection provided, without security breaches	100% (0)	100% in-transit protection provided, without security breaches.	-	Target achieved.
Subprogramme: Static and Mobile Security								
Provision of in-transit and static protection	Percentage of protection provided at identified government installations and identified VIP residences without security breaches PSS & PPS	100% static protection provided, without security breaches.	100% static protection provided, without security breaches.	99,97% static protection provided, with three security breaches by PSS. 100% static protection provided, without security breaches by PPS.	100% (0)	100% static protection provided, without security breaches.	-	Target achieved.

Objective statement	Performance indicator	Actual achievement 2016/2017	Actual achievement 2017/2018	Actual achievement 2018/2019	Planned target 2019/2020	Actual achievement 2019/2020	Deviation from planned target to actual achievement 2019/2020	Comment on deviation
Subprogramme: Government Security Regulator								
Regulation of physical security in identified government buildings and strategic installations	Percentage of Strategic installations audited PSS	50,80% strategic installations audited (129 from a total of 254).	49% strategic installations audited (125 from a total of 255).	51,36% strategic installations audited (132 from a total of 257).	48,83% (126 from a total of 258)	49,61% strategic installations audited (128 from a total of 258).	0,78% points	Target achieved. Two new departments at the DTI were audited, in KwaZulu-Natal and the Eastern Cape Provinces.
	Percentage of NKPs evaluated PSS & PPS	100% NKPs evaluated (204 from a total of 204).	99,52% NKPs evaluated (206 from a total of 207).	99,05% NKPs evaluated (209 from a total of 211).	100% (217)	100% NKPs evaluated (217 from a total of 217).	-	Target achieved.

ANNUAL PERFORMANCE INDICATORS PLANNED TARGETS AND ACTUAL ACHIEVEMENTS

SUBPROGRAMMES: VIP PROTECTION SERVICES, STATIC AND MOBILE SECURITY AND GOVERNMENT SECURITY REGULATOR

PROTECTION AND SECURITY SERVICES DIVISION

Table 16: Actual performance against targets

Objective statement	Performance indicator	Actual achievement 2016/2017	Actual achievement 2017/2018	Actual achievement 2018/2019	Planned target 2019/2020	Actual achievement 2019/2020	Deviation from planned target to actual achievement 2019/2020	Comment on deviation
Subprogramme: VIP Protection Services								
Provision of in-transit and static protection	Percentage of protection provided to VIPs without security breaches	100% in-transit protection provided, without security breaches.	100% in-transit protection provided, without security breaches.	100% in-transit protection provided, without security breaches	100% (0)	100% in-transit protection provided, without security breaches.	-	Target achieved.
Subprogramme: Static and Mobile Security								
Provision of in-transit and static protection	Percentage of protection provided at identified government installations and identified VIP residences without security breaches	100% static protection provided, without security breaches	100% static protection provided, without security breaches.	99,97%, static protection provided, with three security breaches.	100% (0)	100% static protection provided, without security breaches.	-	Target achieved.

Objective statement	Performance indicator	Actual achievement 2016/2017	Actual achievement 2017/2018	Actual achievement 2018/2019	Planned target 2019/2020	Actual achievement 2019/2020	Deviation from planned target to actual achievement 2019/2020	Comment on deviation
Subprogramme: Government Security Regulator								
Regulation of physical security in identified government buildings and strategic installations	Percentage of strategic installations audited	50,80% strategic installations audited (129 from a total of 254).	49% strategic installations audited (125 from a total of 255).	51,36% strategic installations audited (132 from a total of 257).	48,83% (126 from a total of 258)	49,61% strategic installations audited (128 from a total of 258).	0,78% points	Target achieved. Two new departments at the DTI were audited, in KwaZulu-Natal and the Eastern Cape Provinces.
	Percentage of NKPs evaluated	100% NKPs evaluated (194 from a total of 194).	100% NKPs evaluated (196 from a total of 196).	100% NKPs evaluated (200 from a total of 200).	100% (206)	100% NKPs evaluated (206 from a total of 206).	-	Target achieved.

ANNUAL PERFORMANCE INDICATORS PLANNED TARGETS AND ACTUAL ACHIEVEMENTS

SUBPROGRAMMES: VIP PROTECTION SERVICES, STATIC AND MOBILE SECURITY AND GOVERNMENT SECURITY REGULATOR

PRESIDENTIAL PROTECTION SERVICE COMPONENT

Table 17: Actual performance against targets

Objective statement	Performance indicator	Actual achievement 2016/2017	Actual achievement 2017/2018	Actual achievement 2018/2019	Planned target 2019/2020	Actual achievement 2019/2020	Deviation from planned target to actual achievement 2019/2020	Comment on deviation
Subprogramme: VIP Protection Services								
Provision of in-transit protection	Percentage of protection provided to VIPs without security breaches	100% in-transit protection provided, without security breaches.	100% in-transit protection provided, without security breaches.	100% in-transit protection provided, without security breaches	100% (0)	100% in-transit protection provided, without security breaches.	-	Target achieved.
Subprogramme: Static and Mobile Security								
Provision of static protection	Percentage of protection provided at identified government installations and identified VIP residences without security breaches	100% static protection provided, without security breaches	100% static protection provided, without security breaches.	100% static protection provided, without security breaches.	100% (0)	100% static protection provided, without security breaches.	-	Target achieved.

ANNEXURE IP17 690

Objective statement	Performance indicator	Actual achievement 2016/2017	Actual achievement 2017/2018	Actual achievement 2018/2019	Planned target 2019/2020	Actual achievement 2019/2020	Deviation from planned target to actual achievement 2019/2020	Comment on deviation
Subprogramme: Government Security Regulator								
Regulation of physical security in identified government buildings and private residences	Percentage of NKPs evaluated	100% NKPs evaluated (10 from a total of 10).	90,91% NKPs evaluated (10 from a total of 11).	81,82% NKPs evaluated (9 from a total of 11).	100% (11)	100% NKPs evaluated (11 from a total of 11).	-	Target achieved.

SERVICE DELIVERY ACHIEVEMENTS

PROTECTION AND SECURITY SERVICES

- Provides in-transit and static protection to all identified VIPs, including the Speaker and Deputy Speaker of the National Assembly, ministers/deputy ministers, premiers, Members of the Executive Council, the Chief Justice, judge presidents and ad hoc VIPS, in terms of the Risk Information Management Support System (RIMAS).
- Provides protection to identified foreign dignitaries, who are visiting South Africa.
- Provides static protection at identified VIP residences and strategic government installations.
- Evaluates NKPs for physical security compliance, in compliance with the National Key Points Act, 1980 (Act No 102 of 1980).
- Audits identified strategic installations to ensure compliance, in terms of the minimum standard, as derived from the Minimum Physical Security Standard.
- Evaluates security services and security training providers.
- Process applications for security guards at NKPs.

SUBPROGRAMME: VIP PROTECTION SERVICES

PROVISION OF IN-TRANSIT PROTECTION

During the period under review, in-transit protection was provided to 65 national and 131 provincial dignitaries, as well as 11 *ad hoc* and 34 foreign dignitaries that visited South Africa. There was a total of 56 000 South African VIP movements within and outside of the borders of South Africa. No security breaches occurred during the protection of South African VIPs, within South Africa, during major/special, national or provincial events, or during visits by foreign VIPs to the country, as well as on visits abroad, by South African VIPs.

Operational protection was also provided at two major events protected, A total of 292 special events and 220 provincial events were protected, including the SONA, State of the Province Addresses, African Investment Forum, the African National Congress January 8 Statement and Manifesto Launch, National Executive Committees and Cabinet Lekgotla.

SUBPROGRAMME: STATIC AND MOBILE SECURITY

PROVISION OF STATIC PROTECTION

In 2019/2020, a total number of 84 756 protection services were provided by 14 Static Units, which covered 88 identified VIP residences, 29 strategic installations, which are located throughout South Africa, as well as nine buildings occupied by the SAPS. No security breaches occurred during protection duties.

SUBPROGRAMME: GOVERNMENT SECURITY REGULATOR

REGULATION OF PHYSICAL SECURITY IN IDENTIFIED GOVERNMENT BUILDINGS AND STRATEGIC INSTALLATIONS

A total of 1 171 applications for security guards for NKPs were processed. During this process, it was determined that no applicants had criminal records and no applicants were found not capable, in terms of Regulation 4(a) to (g) of the NKP Act, 1980 (Act No 102 of 1980). A total of 140 security service and security training providers were evaluated, of which 43 were deregistered and one was suspended. In addition, a total of 30 new security service and four new security training providers were registered.

A total of 128 from a total of 258 strategic installations were audited. Two new departments/entities at the DTI were audited, in KwaZulu-Natal and the Eastern Cape Provinces. All 206 NKPs were evaluated.

PRESIDENTIAL PROTECTION SERVICE

- Provides a comprehensive protection service to its client base, as per Cabinet Memorandum 1A of 2004, the RIMAS, the Presidential Handbook and the Presidential Protection Service Policy 3 of 2018.
- Provides static protection at strategic sites and residences of VIPs.
- Evaluates NKPs for physical security compliance, in compliance with the National Key Points Act, 1980 (Act No 102 of 1980).

A comprehensive assessment of the current state of PSS has been conducted, in terms of the micro-, macro- and stakeholder environments, to enhance the internal functions and processes. Resources has been allocated and distributed, nationally, to critical areas that serve priority.

The SAPS will focus on the following, over the medium-term:

» **Monitoring and Evaluation Research and Development Management** – To improve the overall functioning of PSS, through a comprehensive assessment responsive to environmental demands and challenges, with an integrated approach, implemented in line with governance, delivery and resourcing, in order to achieve the goals and objectives of the Component.

» **Protection Intelligence and Threat Investigation** – Gather information of threats and the physical profiling of the treats. This entails meetings with intelligence sources for the transversal transfer of information, data and intelligence, as well as operational responsibilities for the protection of VIPs.

» **Planning and International Relations** – The planning of presidential local and foreign operations and the provision of operational protection involving heads of state and ministers at presidential VIP major and special events. This entails the coordination of resources,

through the compilation of an operational document for protection and security services, including the SAPS, other departments and role players, to ensure the comprehensive, effective and efficient protection of VIPs during domestic and foreign day-to-day operations and deployments and during major or special events.

» **Information and Mitigation** – The deployment of physical and human resources during in- transit, international operations, joint operations, venue operations and for specialised operations (the transport, deployment and installation of physical technological resources and personnel required for the protection of VIPs and the facilitation of secure communication, secure data, surveillance, counter surveillance, monitoring, archiving, analysis and dissemination, thereof, during domestic and foreign day-to-day operations and deployments and the repair, maintenance and servicing of all specialised technical resources and systems required by PPS role players), the conducting of research and development for advances on technological solutions, systems and software (the research and development of protection hardware and software technologies required by PPS role players for the effective and efficient protection of VIPs during day-to-day operations and assistance to Human Resource Development on protection technology training on hardware and software, to advance the protection strategy concerning the ever evolving technological threats and the countering, thereof, as required by all role players), as well as monitoring and response management.

SUBPROGRAMME: VIP PROTECTION SERVICES

PROVISION OF IN-TRANSIT PROTECTION

In-transit protection aims to protect the lives and assets of protected VIPs, while in transit and to mitigate risks to the safety and dignity of protected VIPs, as the safety of these individuals is of strategic importance for the safety and security of the country. During the period under review, in-transit protection was provided to 21 presidential VIPs, who participated in 140 visits outside the borders of South Africa. Some of these visits, depending on the length of the flight, had to make refuelling stops. A total of 54 foreign heads of state/government were protected. No security breaches occurred during protection duties, in South Africa or abroad, at major events or while foreign heads of state visited the country. The counter-assault team, which provide tactical deployment for high-risk operations and incidents (both locally and foreign operations), require specialised, skilled members.

SUBPROGRAMME: STATIC AND MOBILE SECURITY

PROVISION OF STATIC PROTECTION

Static protection aims to create a safe and secure environment of the Presidency and identified VIPs. Their dignity and its resources are protected with diligence, implement security measures to counter threats and risks that can cause harm to the Presidency, dignity of such Presidency, employees, assets, critical information and operations of the Presidency and identified VIPs. A 24-hour static protection service was provided to 21 identified VIP residences and three offices, without security breaches.

SUBPROGRAMME: GOVERNMENT SECURITY REGULATOR

REGULATION OF PHYSICAL SECURITY IN IDENTIFIED GOVERNMENT BUILDINGS AND PRIVATE RESIDENCES

The Physical Security Compliance Section is to ensure the regulation of physical security compliance at NKPs. All 11 NKPs were evaluated, in 2019/2020. The Physical Security Compliance environment was also tasked to provide an operational responsibility to enhance daily operational deployments to adhere to NKP standards.

OVERALL PERFORMANCE

The Protection and Security Services Programme identified seven targets, for the 2019/2020 financial year, compared to the same number of targets, in 2018/2019. All targets were achieved, in 2019/2020.

STRATEGIES TO OVERCOME AREAS OF UNDERPERFORMANCE

Not applicable

STRATEGIES THAT HAVE BEEN/WILL BE IMPLEMENTED TO ADDRESS THE UNDERPERFORMANCE

Not applicable

CHANGES TO PLANNED TARGETS

There were no changes to planned targets, in 2019/2020.

LINKING PERFORMANCE WITH BUDGETS

SUBPROGRAMME EXPENDITURE

Subprogramme	2019/2020			2018/2019		
	Final appropriation	Actual expenditure	(Over)/ under expenditure	Final appropriation	Actual expenditure	(Over)/ under expenditure
	R'000	R'000	R'000	R'000	R'000	R'000
VIP Protection Services	1 847 358	1 847 358	-	1 573 373	1 573 373	-
Static and Mobile Security	1 185 628	1 185 628	-	1 081 415	1 081 415	-
Government Security Regulator	75 324	75 324	-	82 224	82 224	-
Operational Support	270 790	270 790		263 417	263 417	-
Total	**3 379 100**	**3 379 100**	**-**	**3 000 429**	**3 000 429**	**-**

5. TRANSFER PAYMENTS

5.1 TRANSFER PAYMENTS TO PUBLIC ENTITIES

The SAPS does not make any transfer payment to a public entity, for the purpose of that public entity to deliver a service, on behalf of Government.

5.2 TRANSFER PAYMENTS TO ALL ORGANISATIONS, OTHER THAN PUBLIC ENTITIES

Payments to the CSPS, as a separate department, are in terms of voted funds, for which the SAPS only acts as the enabling department to transfer the funds into their bank account.

Payments to the SASSETA are being made, in terms of the skills levy, of which the SAPS is also a department to benefit from such.

6. CONDITIONAL GRANTS

6.1 CONDITIONAL GRANTS AND EARMARKED FUNDS PAID

The SAPS does not make any conditional grant payments.

7. DONOR FUNDS

Name of the donor	EU Dialogue Facility
Full amount of the funding	75 000 Euro approved for the project.
Period of the commitment	The commitment is for one year, from May 2018 to May 2019 (extension was provided by the EU for a new project approved on cybercrime, until March 2020).
Purpose of the funding	Establishing strategic interventions in eradicating the identified cybercrime phenomenon and its manifestation through dialogue with identified stakeholders.
Expected outputs	Two conferences to be organised on cybercrime. The exchange of information on cybercrime between South Africa and the EU. Improved dialogue between the SAPS and other law enforcement agencies, through a study tour.
Actual output achieved	One conference was organised. The exchange of information on cybercrime between South Africa and the EU, through a study tour. A desk review on the establishment of a cybercrime centre. A workshop on cybercrime. Improved dialogue between the SAPS and other law enforcement agencies.
Amount received in the current reporting period	75 000 Euro was approved for the project All funding is managed by the European Project Management Unit (donation in kind[63]).
Amount spent by the Department	The cumulative expenses, up to the end of March 2020, was 52,98% or EUR39 734. Travelling allowance for travelling abroad was funded by the SAPS's Human Resource Development Division.
Reasons for the funds unspent	Starting the project took more time than was expected, due to the time it took to link with the correct role players in Europe at the different cybercrime units. A second conference could not take place, due to the late appointment of consultants by the EU who did the desk review. The exchange rate between the rand and the euro impacted on the budget.
Monitoring mechanism by the donor	Reports on visits to the EU. Project steering committee meetings. Technical committee meetings. Regular meetings and planning with the donor project management unit. Feedback to the donor, through reports.

Name of the donor	Old Mutual
Full amount of the funding	R386 555.05
Period of the commitment	2019/2020 financial year
Purpose of the funding	In-kind sponsorship for attire for SAPS members attending the SARPCCO Games, in Luanda, Angola.
Expected outputs	The issuing of attire for SAPS members attending the SARPCCO Games.
Actual output achieved	Attire issued to the team, which comprised sportsmen and sportswomen from the SAPS who participated in various sporting codes.
Amount received in the current reporting period	R386 555.05
Amount spent by the Department	R386 555.05
Reasons for the funds unspent	Not applicable
Monitoring mechanism by the donor	Monitored by the SAPS Human Resource Development and Supply Chain Management Divisions.

Name of the donor	USA
Full amount of the funding	R586 443.76
Period of the commitment	2019/2020 financial year (ranging from one week, to two weeks, to five weeks).
Purpose of the funding	The attendance of SAPS members at 12 training interventions presented by the Embassy of the USA, through the ILEA, in Gaborone, Botswana.
Expected outputs	To train a total of 80 SAPS members, in terms of the following: • Leadership for Woman in Law Enforcement Course • Financial Investigation Course • Crime Scene Investigation Course • Cybercrime Investigations Course • International Joint Bioterrorism Investigation Course • Counter Proliferation Investigations Methods Workshop • Regional Advanced Narcotics Course • Program for Terrorism and Security Studies • Cryptocurrency Investigations Course • Executive Leadership and Major Case Management Course
Actual output achieved	The training of 80 SAPS members were successfully completed.
Amount received in the current reporting period	R586 443.76
Amount spent by the Department	R586 443.76
Reasons for the funds unspent	Not applicable
Monitoring mechanism by the donor	The SAPS Human Resource Development Division monitored the attendance of members.

Name of the donor	France
Full amount of the funding	R10 000.00
Period of the commitment	2019/2020 financial year (one week)
Purpose of the funding	To conduct a total number of two training interventions, presented by a French cybercrime expert, in Cape Town and in Pretoria.
Expected outputs	To provide training to 25 SAPS members on cybercrime.
Actual output achieved	The training of 25 SAPS members were successfully completed.
Amount received in the current reporting period	R10 000.00
Amount spent by the Department	R10 000.00
Reasons for the funds unspent	Not applicable
Monitoring mechanism by the donor	The SAPS Human Resource Development Division monitored the attendance of members.

Name of the donor	People's Republic of China
Full amount of the funding	R4 560 000.00
Period of the commitment	2019/2020 financial year (three weeks)
Purpose of the funding	The attendance of a training intervention, presented by the Chinese Ministry of Public Security, in the People's Republic of China.
Expected outputs	To train 50 SAPS members, in the combating of cybercrime, as well as a seminar on criminal investigation technology.
Actual output achieved	The training of 48 SAPS members were successfully completed.
Amount received in the current reporting period	R4 560 000.00
Amount spent by the Department	R4 560 000.00
Reasons for the funds unspent	Not applicable
Monitoring mechanism by the donor	The SAPS Human Resource Development Division monitored the attendance of members.

Name of the donor	Zimbabwe
Full amount of the funding	R107 500.00
Period of the commitment	2019/2020 financial year (one week)
Purpose of the funding	The attendance of a training intervention, presented by INTERPOL, in Harare, Zimbabwe.
Expected outputs	To train seven SAPS members, to benchmark and share best practices, in terms of the following: • INTERPOL Policing Capabilities Induction Training for NCB Staff • NCB Management Enhancement Training • SARPCCO Cybercrime Investigators Course
Actual output achieved	The training of seven SAPS members were successfully completed.
Amount received in the current reporting period	R107 500.00
Amount spent by the Department	R107 500.00
Reasons for the funds unspent	Not applicable
Monitoring mechanism by the donor	The SAPS Human Resource Development Division monitored the attendance of members.

Name of the donor	INTERPOL
Full amount of the funding	R80 000.00
Period of the commitment	2019/2020 financial year
Purpose of the funding	To obtain a diploma in Strategic Leadership, at the Centre of Excellence, in Harare, Zimbabwe.
Expected outputs	To train two learners, in Strategic Leadership, during the 4th and the 5th intake.
Actual output achieved	Two learners and two trainers attended and successfully completed the course.
Amount received in the current reporting period	R80 000.00
Amount spent by the Department	R80 000.00
Reasons for the funds unspent	Not applicable
Monitoring mechanism by the donor	The SAPS Human Resource Development Division monitored the attendance of learners.

Name of the donor	Tanzania
Full amount of the funding	R151 250.00
Period of the commitment	2019/2020 financial year (two weeks)
Purpose of the funding	The attendance of a training intervention, presented by INTERPOL, in Moshi, Kilimanjaro, Tanzania.
Expected outputs	To train two learners and two trainers in the SARPCCO Motor Vehicle Course.
Actual output achieved	Two learners attended and successfully completed the course.
Amount received in the current reporting period	R151 250.00
Amount spent by the Department	R151 250.00
Reasons for the funds unspent	Not applicable
Monitoring mechanism by the donor	The SAPS Human Resource Development Division monitored the attendance of the learners.

ANNEXURE IP17 700

Name of the donor	Malaysia
Full amount of the funding	R55 000.00
Period of the commitment	2019/2020 financial year (three weeks)
Purpose of the funding	The attendance of a training intervention, presented by the Royal Malaysia Police, at the Royal Malaysia Police College, in Kuala Lumpur, Malaysia.
Expected outputs	To train one SAPS member on the 45th International Senior Police Officers' Command Course and to benchmark and share best practices.
Actual output achieved	One member attended and successfully completed the course.
Amount received in the current reporting period	R55 000.00
Amount spent by the Department	R55 000.00
Reasons for the funds unspent	Not applicable
Monitoring mechanism by the donor	The SAPS Human Resource Development Division monitored the attendance of the member.

Name of the donor	Taiwan Government Authorities
Full amount of the funding	R123 700.00
Period of the commitment	2019/2020 financial year (one week)
Purpose of the funding	To attend a course, presented by the Taiwan Government Authorities, in Taipei, Taiwan.
Expected outputs	Training on Forensic DNA and the attendance of a Forum on Regional Security and Transnational Crime and to benchmark and share best practices.
Actual output achieved	One member attended and successfully completed the course.
Amount received in the current reporting period	R123 700.00
Amount spent by the Department	R123 700.00
Reasons for the funds unspent	Not applicable
Monitoring mechanism by the donor	The SAPS Human Resource Development Division monitored the attendance of the member.

Name of the donor	Seychelles
Full amount of the funding	R48 000.00
Period of the commitment	2019/2020 financial year (two weeks)
Purpose of the funding	To attend a course, presented by INTERPOL Regional Bureau Harare, in Victoria, Seychelles.
Expected outputs	To share best practices during the EAPCCO/SARPCCO Counter Terrorism Intelligence Course.
Actual output achieved	One member attended
Amount received in the current reporting period	R48 000.00
Amount spent by the Department	R48 000.00
Reasons for the funds unspent	Not applicable
Monitoring mechanism by the donor	The SAPS Human Resource Development Division monitored the attendance of the learner.

8. CAPITAL INVESTMENT

The SAPS is cognisant that all people in South Africa have the right of access to policing services and has, therefore, since 2010, advocated a need for the provisioning of sufficient and adequate policing infrastructure and the building of police stations, in the deep rural areas of the country. During 2019/2020, Pholile and Qhasa Police Stations, in the Eastern Cape, were completed.

IMPROVEMENT OF INFRASTRUCTURE DEVELOPMENT AND PUBLIC ACCESS TO POLICING SERVICES

The SAPS Infrastructure Development Programme is implemented in a multi-year approach as follows:

- Annual Performance Plan
- Building Programme
- Ministerial Priorities
- Intervention Projects

All projects targeted for completion in a specific financial year are prioritised in the APP for reporting purposes and all other projects progressing towards completion, inclusive of interventions and new priorities, are executed and managed within the Building Programme.

During the 2019/2020 financial year, the SAPS activated and completed additional projects, through the procurement and placement of park homes, to address urgent needs for additional accommodation within the SAPS Infrastructure Development Programme, as depicted below:

Province	Name	Completion date
Establishment of living quarters at deep rural police stations		
Eastern Cape	Elandsheights	2020-03-04
Eastern Cape	Qhasa	2020-03-06
Eastern Cape	Pholile	2019-11-27
North West	Mareetsane	2019-12-03
Establishment of victim-friendly facilities		
Gauteng	Lenasia South	2019-10-10
Gauteng	Phuthanong	2019-05-17
Limpopo	Apel	2019-11-21
North West	Ikageng	2019-05-15
Mpumalanga	Kwamhlanga	2019-05-17
Establishment of additional office accommodation		
Eastern Cape	Cofimvaba	2019-11-26
Mpumalanga	Kwamhlanga	2019-05-17
Gauteng	Phuthanong	2019-05-17
North West	Ikageng	2019-05-15

Province	Name	Completion date
Establishment of police stations (contact points)		
Gauteng	Lenasia South	2019-10-10
Limpopo	Apel	2019-11-21

ACQUISITION OF LEASED POLICE STATIONS AND LAND

In 2019/2020, no deed of sale documentation was finalised for both the acquisition of land and the acquisition of leased police stations.

USER ASSET MANAGEMENT PLAN

The User Asset Management Plan (UAMP), for 2021/2022, was approved by the National Commissioner, on 31 March 2020. The Plan was submitted, to both the Department of Public Works and Infrastructure and National Treasury, on 1 April 2020.

SECURITY UPGRADING OF POLICE STATIONS

Based on the previous spate of attacks on police stations, as a result of criminal activities, protest action, riots, attacks and unnatural deaths of employees of the SAPS, both on or off duty, have been regarded as a threat to the stability of the country. The SAPS Top Management, thereafter, prioritised the safety and wellbeing of all SAPS employees, as well as the safety at police stations. These attacks necessitated an urgent intervention, to establish the security safety gaps at police stations, to prevent any loss of life, injuries and damage to state property. A total of 90 police stations were identified by the Visible Policing Division for the implementation of security upgrades, in a phased-in approach. The provincial breakdown of the prioritised stations are depicted in the table below:

Province	No of stations prioritised
Eastern Cape	9
Free State	9
Gauteng	11
KwaZulu-Natal	8
Limpopo	10
Mpumalanga	10
North West	10
Northern Cape	9
Western Cape	14
Total	**90**

All 90 police stations have been physically inspected and all site assessments have been compiled for procurement purposes. Unfortunately, no security upgrading projects were completed, during 2019/2020.

CAPITAL INVESTMENT, MAINTENANCE AND ASSET MANAGEMENT PLAN

SAPS CAPITAL WORKS

Progress made on implementing the Capital Investment and Asset Management Plan.

Category type

New police facility (N)	A police facility constructed on a new site, where no police facility existed previously, or an additional facility is built, but the existing one is not closed.
Newly re-established police facility (NRE)	An existing police facility that is replaced by new structures on a new site and where the existing police facility is closed.
Re-established police facility (RE)	An existing police facility that is upgraded with major works and/or extensive additional new structures on the existing site.
Repaired and upgraded (R&U)	Existing police facilities that are repaired and upgraded to modern standards, with only minor additions.

FOCUS AREA 1: POLICE STATIONS: CONSTRUCTION: SITE CLEARANCE

A total number of 10 projects were planned for completion, during 2019/2020 and eight were completed.

Province	Name	Completion date
Eastern Cape	Alice (NRE)	2020-03-31
Eastern Cape	Peddie (NRE)	2020-03-31
Eastern Cape	Chalumna (NRE)	2020-03-31
Free State	Rosendal (R&U)	2020-03-31

Province	Name	Completion date
Free State	Villiers (NRE)	2020-03-31
Mpumalanga	Bushbuckridge (NRE)	2020-03-31
KwaZulu-Natal	Mkuze (R&U)	2020-03-31
Western Cape	Porterville (R&U)	2020-03-31

FOCUS AREA 1: POLICE STATIONS: CONSTRUCTION: PLANNING AND DESIGN

A total number of 17 projects were planned for completion and no projects were completed, in 2019/2020.

FOCUS AREA 1: POLICE STATIONS: CONSTRUCTION: EXECUTION

A total number of three projects were planned for completion, during 2019/2020 and two were completed.

Province	Name	Completion date
Eastern Cape	Pholile (N)	2019-04-10

Province	Name	Completion date
Eastern Cape	Qhasa (N)	2019-11-12

FOCUS AREA 2: REPAIR AND UPGRADE: POLICE STATIONS (R&U)

A total number of seven projects were planned for completion, in 2019/2020 and 17 were completed, aligned to the SAPS Infrastructure Development Programme.

Province	Name	Completion date
Eastern Cape	Kolomane	2020-03-31
Free State	Tweeling Cell Block	2019-09-10
Gauteng	Hammanskraal Detective Academy	2020-03-16
KwaZulu-Natal	Port Edward	2020-02-04
KwaZulu-Natal	Mtunzini	2020-03-05
Limpopo	Letsitele	2020-03-06
Mpumalanga	Driefontein	2020-03-23
Mpumalanga	Sabie	2020-02-03
Mpumalanga	Schoemansdal	2020-03-31

Province	Name	Completion date
Mpumalanga	Sheepmoor	2020-03-23
Mpumalanga	Pungutsha	2020-02-26
Mpumalanga	Sakhile	2020-03-19
Mpumalanga	Secunda	2020-03-20
Northern Cape	Norvalspont	2020-03-26
Western Cape	Samora Machel	2019-05-27
Western Cape	Delft	2019-09-02
Western Cape	Table View	2019-10-11

FOCUS AREA 3: ACCESSIBILITY FOR PERSONS WITH DISABILITIES (R&U)

A total number of 28 projects were planned for completion, during 2019/2020 and all were completed.

Province	Name	Completion date
Eastern Cape	Alicedale	2020-03-20
Eastern Cape	Kamesh	2019-12-31
Eastern Cape	Ugie	2020-03-19
Eastern Cape	Fish River	2019-05-15
Eastern Cape	Patensie	2019-10-14
Eastern Cape	Willowvale	2020-03-18
Free State	Bainsvlei	2019-09-06
Free State	Fauresmith	2020-03-20
Free State	Edenburg	2019-09-20
Free State	Reddersburg	2020-03-11
Gauteng	Bocshkop	2019-10-30
Gauteng	Kliprivier	2019-08-16
KwaZulu-Natal	Empangeni	2019-08-30
KwaZulu-Natal	Franklin	2019-08-26

Province	Name	Completion date
KwaZulu-Natal	Ezibayeni	2019-10-04
KwaZulu-Natal	Hammersdale	2019-08-14
Limpopo	Letsitele	2019-08-16
Limpopo	Naboomspruit	2019-09-17
Limpopo	Marble Hall	2019-10-01
Mpumalanga	White River (R&U)	2020-03-01
Mpumalanga	Louws Creek	2020-03-05
Northern Cape	Rietfontein (R&U)	2019-10-03
Northern Cape	Vioolsdrift (R&U)	2019-12-18
Northern Cape	Middelpos	2019-11-15
Northern Cape	Victoria West	2020-03-24
Western Cape	Mowbray (R&U)	2019-11-26
Western Cape	Franshoek	2019-05-17
Western Cape	Philippi	2019-09-11

FOCUS AREA 4: INSTALLATION OF GENERATORS (N)

A total number of 18 projects were planned for completion, during 2019/2020 and number of 11 were completed.

Province	Name	Completion date
Eastern Cape	Fish River (Moyeni)	2019-11-12
Eastern Cape	Illinge	2019-11-13
Eastern Cape	Lady Grey	2019-07-25
Eastern Cape	Henderson	2019-07-25
Eastern Cape	Kidds Beach	2019-07-24
Eastern Cape	Seymour	2019-11-13

Province	Name	Completion date
Free State	Bainsvlei	2019-08-21
Free State	Steunmekaar	2019-08-21
Free State	Kestell	2019-08-19
Western Cape	Samora Machel	2019-06-26
KwaZulu-Natal	Vryheid	2019-07-05

FOCUS AREA 5: INSTALLATION OF AIR CONDITIONERS (N)

A total number of 61 projects were planned for completion, in the 2019/2020 APP and 63 were completed, in alignment to the SAPS Infrastructure Development Programme.

Province	Name	Completion date
Eastern Cape	Alice	2019-10-14
Eastern Cape	Bell	2020-02-13
Eastern Cape	Cambridge West	2019-11-29
Eastern Cape	Dalasile	2019-10-18
Eastern Cape	Duncan Village	2019-11-27
Eastern Cape	Hamburg	2019-11-26
Eastern Cape	Ida	2019-10-16
Eastern Cape	Kei Mouth	2019-08-27
Eastern Cape	Komga	2019-10-14
Eastern Cape	Lady Frere	2019-09-04
Eastern Cape	Ntabathemba	2019-10-16
Eastern Cape	Steve Vukile Tshwete	2020-03-11
Eastern Cape	Tamara	2020-02-13
Eastern Cape	Willowvale	2020-03-31
Eastern Cape	Aliwal North	2019-10-16
Eastern Cape	Buffalo Flats	2019-11-28
Eastern Cape	Chalumna	2019-08-26
Eastern Cape	Dimbaza	2019-10-14
Eastern Cape	Elands Heights	2019-10-17
Eastern Cape	Henderson	2019-10-15
Eastern Cape	Kei Bridge	2019-10-15
Eastern Cape	Kidds Beach	2019-11-26

Province	Name	Completion date
Free State	Theunissen	2019-07-09
Gauteng	Thembisa	2020-02-20
Gauteng	Boschkop	2020-03-19
KwaZulu-Natal	Evatt	2019-07-26
KwaZulu-Natal	Harburg	2019-05-21
KwaZulu-Natal	Hilton	2019-05-21
KwaZulu-Natal	Inanda	2019-07-23
KwaZulu-Natal	Kokstad	2019-07-26
KwaZulu-Natal	Mountain Rise	2019-05-22
KwaZulu-Natal	Mtunzini	2019-05-23
KwaZulu-Natal	Port Edward	2019-05-23
KwaZulu-Natal	Umzinto	2019-07-24
KwaZulu-Natal	Dundee	2019-04-03
KwaZulu-Natal	Hammersdale	2019-04-04
KwaZulu-Natal	Hattingspruit	2019-09-11
KwaZulu-Natal	Impendle	2019-05-21
KwaZulu-Natal	Izingolweni	2019-07-25
KwaZulu-Natal	Mehlomnyama	2019-07-25
KwaZulu-Natal	Msinsini	2019-07-24
KwaZulu-Natal	Ntabamhlophe	2019-04-03
KwaZulu-Natal	Umkomaas	2019-07-24
Limpopo	Saamboubrug	2019-10-09

Province	Name	Completion date
Eastern Cape	Kubusiedrift	2020-02-14
Eastern Cape	Ndevana	2020-02-13
Eastern Cape	Peddie	2020-02-13
Eastern Cape	Stutterheim	2020-03-11
Eastern Cape	Venterstad	2020-03-09
Free State	Fauresmith	2019-05-15
Free State	Steunmekaar	2019-05-15
Free State	Zastron	2019-05-16
Free State	Bainsvlei	2019-07-10
Free State	Kopanong	2019-05-16

Province	Name	Completion date
Limpopo	Zaaiplaas	2020-03-04
Limpopo	Marble Hall	2020-03-04
Limpopo	Rankins Pass	2019-05-10
Limpopo	Zebediela	2020-03-05
North West	Hebron	2019-09-23
North West	Mmakau	2019-09-23
North West	Wolmaransstad	2019-09-26
North West	Lomanyaneng	2019-09-25
North West	Piet Plessis	2019-09-25

SAPS PLANNED MAINTENANCE PROGRAMME

Category type

Repairs and renovations (R&R)	Existing police facilities that are repaired and renovated to modern standards. Renovations can either be minor or major.
Maintenance: service contract (M)	Existing police facilities that are periodically maintained to prevent costly repairs.

FOCUS AREA 1: REPAIR AND RENOVATIONS AT DEVOLVED POLICE STATIONS: PLANNING AND DESIGN (R&R)

A total number of five projects were planned for completion and no projects were completed, in 2019/2020.

FOCUS AREA 1: REPAIR AND RENOVATIONS AT DEVOLVED POLICE STATIONS: EXECUTION (R&R)

A total number of 12 projects were planned for completion, in 2019/2020 and two were completed.

Province	Name	Completion date
Limpopo	Zaaiplaas	2019-06-12

Province	Name	Completion date
Western Cape	Malmesbury	2020-01-28

INFRASTRUCTURE PROJECTS THAT ARE IN PROGRESS AND THE DATE THEY ARE EXPECTED TO BE COMPLETED

SAPS CAPITAL WORKS PROGRAMME FOCUS AREA 1: CONSTRUCTION: SITE CLEARANCE		
Province	**Project**	**Projected completion date**
KwaZulu-Natal	Sokhulu	2021-03-31
Western Cape	Rondebosch	2021-03-31

SAPS CAPITAL WORKS PROGRAMME FOCUS AREA 1: CONSTRUCTION: PLANNING AND DESIGN		
Province	Project	Projected completion date
Eastern Cape	Chatty	2021-03-31
Eastern Cape	Majola	2021-03-31
Eastern Cape	Sterkstroom	2021-03-31
Free State	Sonskyn (Bloemspruit)	2021-03-31
Free State	Kutlwanong	2021-03-31
Gauteng	Evaton	2021-03-31
Gauteng	Riegerpark	2021-03-31
KwaZulu-Natal	Umbumbano (Nkandla)	2021-03-31
SAPS CAPITAL WORKS PROGRAMME FOCUS AREA 1: CONSTRUCTION: PLANNING AND DESIGN		
Province	Project	Projected completion date
Limpopo	The Oaks	2021-03-31
Limpopo	Khubvi	2021-03-31
Limpopo	Moletlane	2021-03-31
Mpumalanga	Mariti	2021-03-31
Mpumalanga	Driefontein	2021-03-31
Mpumalanga	Dun Donald	2021-03-31
Western Cape	Makhaza	2021-03-31
Western Cape	Samora Machel	2021-03-31

SAPS CAPITAL WORKS PROGRAMME FOCUS AREA 1: CONSTRUCTION: EXECUTION		
Province	Project	Projected completion date
North West	Mabieskraal	2021-03-31

SAPS CAPITAL WORKS PROGRAMME FOCUS AREA 5: GENERATORS: POLICE STATIONS:		
Province	Project	Projected completion date
Eastern Cape	Mbizeni	2021-03-31
Eastern Cape	Mqanduli	2021-03-31
KwaZulu-Natal	Ingogo	2021-03-31
KwaZulu-Natal	Mehlomnyama	2021-03-31
Limpopo	Makuya	2021-03-31
Mpumalanga	Amersfoort	2021-03-31
Mpumalanga	Davel	2021-03-31

PLAN TO CLOSE DOWN OR DOWNGRADE ANY CURRENT FACILITIES

Not applicable

PROGRESS MADE WITH MAINTENANCE OF INFRASTRUCTURE

A total number of 17 projects, under the auspices of the planned maintenance category, were planned for, wherein five projects were under planning and design and 12 projects under execution. From the projects planned for, only two projects were completed. The table below depicts the projects that were not completed and have thus been carried over for completion, in the 2020/2021 financial year.

SAPS PLANNED MAINTENANCE PROGRAMME FOCUS AREA 1: REPAIR AND RENOVATIONS: PLANNING AND DESIGN		
Province	**Project**	**Projected completion date**
Eastern Cape	Mooiplaas	2021-03-31
Free State	Theunissen	2021-03-31
Limpopo	Zebediela	2021-03-31
Gauteng	Morning Side (Sandton)	2021-03-31
Northern Cape	Kathu	2021-03-31

SAPS PLANNED MAINTENANCE PROGRAMME FOCUS AREA 1: REPAIR AND RENOVATIONS: EXECUTION		
Province	**Project**	**Projected completion date**
Eastern Cape	Jeffreys Bay	2021-03-31
Eastern Cape	Lady Grey	2021-03-31
KwaZulu-Natal	Helpmekaar	2021-03-31
Limpopo	Bandelierkop	2021-03-31
Limpopo	Makuya	2021-03-31
Limpopo	Thabazimbi	2021-03-31
Mpumalanga	Charl Cilliers	2021-03-31
Western Cape	Claremont	2021-03-31
Western Cape	Gans Bay	2021-03-31
Western Cape	Uniondale	2021-03-31

DEVELOPMENT RELATING TO THE ABOVE THAT ARE EXPECTED TO HAVE AN IMPACT ON THE DEPARTMENT'S CURRENT EXPENDITURE

- Change of priorities, due to organisational developments.
- Intergovernmental dependencies, i.e. dependency on municipalities and other government departments for town planning processes.
- Labour disputes and business forums interfering at sites.
- Performance of appointed service providers (consultants and contractors).
- Dependency on external stakeholders on specialised items (supply, delivery and installation

of roof trusses; installation of aluminium doors and windows; galvanisation of steelwork for cell kitchen equipment, stoves, extractor fans, cell doors and windows, etc.).

» Poor performance by appointed service providers (contractors).

DETAILS OF HOW ASSET HOLDINGS CHANGED OVER THE PERIOD UNDER REVIEW, INCLUDING INFORMATION ON DISPOSALS, SCRAPPING AND LOSS, DUE TO THEFT

Not applicable

MEASURES TAKEN TO ENSURE THAT THE DEPARTMENT'S ASSET REGISTER REMAINED UP-TO-DATE DURING THE PERIOD UNDER REVIEW

The following interventions were implemented:

» Continuous training by Supply Chain Management: Facility Management and Asset Operations Management.

» Constant meetings between National, Provisional and Divisional Offices.

» Annual inspections conducted by National Supply Chain Management, to ensure data integrity, while quarterly inspections are conducted by Provincial and Divisional Offices.

THE CURRENT STATE OF THE DEPARTMENT'S CAPITAL ASSETS

The functionality, condition and accessibility of the Department's capital assets are captured on the UAMP. This can change, on a daily basis, as the nature of the status is so unique. A snapshot is taken, on an annual basis, to determine the demand and planning process for planned maintenance and capital works. These are budgeted and planned for, on an annual basis.

MAJOR MAINTENANCE PROJECTS THAT HAVE BEEN UNDERTAKEN

The SAPS Infrastructure Development Plan does not distinguish between major and minor building projects. Planned maintenance is only for repairs and maintenance, to keep the police station to its original condition, while any bigger work that is required for outside of the scope of works, gets placed under capital works as a repair and upgrade project.

PROGRESS MADE IN ADDRESSING THE MAINTENANCE BACKLOG

The need for maintenance at a police station is determined, in consultation with the end-user and the information is captured and verified on the UAMP. This is an annual demand and planning exercise, in consultation with the end-user. Therefore, the backlog only refers to the projects that have to be carried over into another financial year.

The Organisational Development Component is still in the process of finalising the work study investigation for the re-establishment of Building Services and the Provincial Maintenance Units with the necessary capacity, to address the maintenance backlog.

DETERMINING THE RATE OF PROGRESS OF THE PLAN AND REMEDIAL MEASURES TAKEN

The rate of progress was not according to the plan, due to various investigations that were conducted, which resulted in the delay in the appointment of contractors and consultants.

The performance of contractors, change of priorities, change in the industry (alternative methods, prices, etc.), labour disputes and climatic conditions have delayed the progress of the plan. Contingency projects have been identified for activation purposes.

Appropriation and expenditure relating to infrastructure projects

Infrastructure projects	2018/2019			2019/2020		
	Final appropriation	Actual expenditure	(Over)/under expenditure	Final appropriation	Actual expenditure	(Over)/under expenditure
	R'000	R'000	R'000	R'000	R'000	R'000
New and replacement assets	660 030	677 827	- 17 797	436 263	385 664	50 601
Existing infrastructure assets	24 824	7 223	17 601	127 111	127 111	0
Upgrading and additions	8 393	4 007	4 386	125 368	125 368	0
Rehabilitation, renovations and refurbishments	16 431	3 216	13 215	1 743	1 743	0
Maintenance and repairs	0	0	0	0	0	0
Infrastructure transfers	0	0	0	0	0	0
Current	0	0	0	0	0	0
Capital	0	0	0	0	0	0
Total	**684 854**	**685 050**	**- 196**	**563 374**	**512 775**	**50 601**

PART C

GOVERNANCE

1. INTRODUCTION

The SAPS employs several mechanisms and criteria that are directed towards the enhancement of the standard of corporate governance in the organisation. These mechanisms include, *inter alia*, the application of the Public Finance Management Act, 1999 (Act No 1 of 1999) and Treasury Regulations, the Management Performance Assessment Tool and the Performance Agreement Framework. The organisation has oversight structures, namely, the SAPS Audit Committee, to review the control governance and risk management, as well as the SAPS Risk Management Committee, to review the organisation's system of risk management.

The progressive implementation of the principles underlying corporate governance remains a medium-term objective for the organisation, given the size and scope of its mandate, resource base and the scope of its operations. The structuring, placement and distribution of resources, directed by the application of the mandate, as per Section 205 (3) of the Constitution of the Republic of South Africa, 1996 are largely informed by the organisational structure and related purpose and functions of individual business units. The SAPS has embarked on a process of reviewing the organisational structures at various levels. This review will include the rationalisation of governance structures within the organisation, in line with good corporate governance.

Established corporate governance-related practices related to accountability, assurance provisioning, the management of conflicts of interest, ethics and integrity management, integrated reporting, risk management and stakeholder management, are to be reviewed to improve corporate governance within the organisation.

2. RISK MANAGEMENT

THE DEPARTMENT HAS A RISK MANAGEMENT POLICY AND STRATEGY

Risk management within the SAPS is guided by an approved Risk Management Policy and Strategy. During the 2017/2018 financial year, the risk management process was redesigned from a centralised to a centre-led approach. A revised Risk Management Strategy, which encompasses the Risk Management Operating Model, Reporting and Governance Model, Quality Model and Communication Model was developed and approved, in 2018/2019. The approved Risk Management Strategy was benchmarked by the Internal Audit Component, in 2019/2020, to determine whether it is in line with best practices.

THE DEPARTMENT CONDUCTS REGULAR RISK ASSESSMENTS TO DETERMINE THE EFFECTIVENESS OF ITS RISK MANAGEMENT STRATEGY AND TO IDENTIFY NEW AND EMERGING RISKS

The SAPS conducts annual operational risk assessments at its various divisions, components,

clusters/districts and police stations, to identify risks that may compromise the achievement of the Department's objectives. A comprehensive risk profile of strategic and operational risks has been established, to guide the internal audit activity and to direct management, at all levels, on the mitigation required for the identified risks.

Over the 2014-2020 strategic planning cycle, the SAPS made significant strides to bring risk management to all levels of the SAPS. During the 2018/2019 financial year, risk assessments were conducted for more than 100 police stations, empowering police station management and personnel to continue with the process of risk management in their daily activities.

A strategic risk assessment was planned during a strategic planning session, conducted in 2019/2020, but was not successful. An alternative approach was followed, to initiate the identification of key strategic risks. These risks were presented to the Risk Management Committee and SAPS Management for recommendation and approval.

THE DEPARTMENT'S RISK MANAGEMENT COMMITTEE ADVISES MANAGEMENT ON THE OVERALL SYSTEM OF RISK MANAGEMENT, ESPECIALLY THE MITIGATION OF UNACCEPTABLE LEVELS OF RISK

The SAPS has a Risk Management Committee, formally constituted, in accordance with the prescripts applicable to the Public Sector Risk Management Framework, chaired by an independent person.

Over the 2014-2020 strategic planning cycle, the functioning of the SAPS Risk Management Committee was inconsistent, signified by lapses and reactivation of the Committee. The Risk Management Committee was re-established, in 2016/2017 and during 2018/2019, a need arose to rationalise and streamline the composition of the Risk Management Committee, to effectively and efficiently advise management on risk management, in line with the recommended practices of the King IV Code of Corporate Governance.

The Department embarked on a process to appoint an independent Risk Management Committee, in 2019/2020. The Committee was formally appointed, in March 2020, chaired by a member who is not in the employment of the SAPS, as required by the Public Sector Risk Management Framework.

THE AUDIT COMMITTEE ADVISES THE DEPARTMENT ON RISK MANAGEMENT AND INDEPENDENTLY MONITORS THE EFFECTIVENESS OF THE SYSTEM OF RISK MANAGEMENT

The Chairperson of the Risk Management Committee is an ex-officio of the SAPS Audit Committee and provides the Audit Committee with reports on the status of risk management within the SAPS. In 2018/2019, the Chairperson of the Audit Committee was invited to attend several Risk Management Meetings, as an independent observer. The Chairperson of the Audit Committee also became a standing invitee of Risk Management Committee Meetings.

WHETHER THE DEPARTMENT SEES PROGRESS IN THE MANAGEMENT OF RISKS, WHETHER THIS HAS TRANSMITTED INTO IMPROVEMENTS IN THE DEPARTMENT'S PERFORMANCE AND IF NOT, WHAT THE DEPARTMENT PLANS ON DOING TO ADDRESS THIS PROBLEM

The SAPS has achieved mixed results, in terms of its ability to mitigate the strategic risks identified as having a negative impact on the performance of the entire organisation. In 2017/2018, a Station Risk Response Plan was developed, to improve the mitigation of strategic risks. The Station Risk Response Plan identified controls to prevent strategic risks from occurring or reducing their impact.

In 2018/2019, SAPS management indicated that the set strategic risks were too operational in nature. As a result, the management of these strategic risks did not have a significant impact on the improvement of the SAPS' performance.

In 2019/2020, a strategic risk assessment was planned during a strategic planning session, to ensure that strategic risks are aligned to the strategic objectives and objective statements of the SAPS.

With the appointment of the Chief Risk Officer, effective from 1 March 2020, a process has ensued to appoint a service provider, to facilitate the strategic risk assessment with SAPS management, linked to the 2020-2025 Strategic Plan.

3. FRAUD AND CORRUPTION

THE DEPARTMENT'S FRAUD PREVENTION PLAN AND THE PROGRESS MADE IN IMPLEMENTING THE FRAUD PREVENTION PLAN

The SAPS has an established Integrity Management Service. The Section functions as designated ethics officers, in compliance with Chapter 2 of the Public Service Regulations, 2016. The SAPS also has an established Ethics Committee, chaired by a Lieutenant General, to oversee the institutionalising of ethics and integrity within the SAPS.

The SAPS implemented an Ethics and Anti-Corruption Strategy, in 2018, which greatly contributes to the enhancement of initiatives to prevent and detect issues of unethical conduct, fraud and corruption. The Integrity Management Service, in conjunction with the Strategic Management Component, monitor the implementation of the Strategy. The Strategy consists of five pillars, namely; Leadership Imperative, Prevention, Detection, Investigation and Resolution of unethical conduct and corruption.

MECHANISMS IMPLEMENTED TO REPORT FRAUD AND CORRUPTION AND HOW THESE MECHANISMS FUNCTION (THE REPORTING OF CASES AND STEPS TAKEN)

Various other prescripts were issued and implemented by SAPS Management, to prevent and detect fraud and corruption. These include, but is not limited to:

Revised SAPS Employment Regulations, 2018, to include a specific chapter, aligned with Chapter 2 of the Public Service Regulations 2016.

A National Instruction to regulate various issues related to ethics and anti-corruption, inclusive of the following chapters:

- To address the Code of Conduct, as well as ethical behaviour.
- To regulate the appointment of ethics officers.
- To regulate officials who perform remunerative work outside the SAPS.
- To regulate the Financial Disclosure Framework, in which all SMS, MMS and lower level officials working in high-risk environments, such as finance and supply chain management have to disclose their financial interest.
- To institutionalise measures to prevent, detect, investigate and resolve issues of possible conflict of interest.
- Protected disclosure, which also serves as the whistle blowing policy of the SAPS.
- To ensure proper advocacy and awareness programmes to deal with ethics and corruption.

In terms of financial disclosures, a 100% or 907 submission rate was achieved, on SMS level, 2 221 or 96% on MMS level and 10 602 or 95% on lower levels, in the financial and supply chain management environment. A total number of 4 293 officials were registered on the eDisclosure System, in addition to the categories required by the DPSA and will be required to disclose during the next disclosure cycle.

The SAPS currently has various programmes to encourage whistleblowing. Whistleblowing is done through various hotlines, such as the complaints hotline, as well as the hotline of the Public Service Commission and Crime Stop. The SAPS is, however, in the process of establishing a dedicated ethics hotline for this purpose, as well as direct reporting to the Integrity Management Service and the designated Anti-Corruption Units, within the Detective Service Division and the DPCI. Implementation of the hotline is, however, hindered by budget constraints within Government.

Breakdown of the departmental charges for fraud and corruption, for 2019/2020: Placed on roll

Number	Rank	Station/Unit	Misconduct committed	Outcome
EASTERN CAPE				
1	Constable	Butterworth	Corruption	Not guilty
2	Sergeant	Kirkwood	Corruption	Not guilty
3	Warrant Officer	Kirkwood	Corruption	Not guilty
4	Sergeant	Provincial Head Office: Organised Crime Intelligence	Corruption	Resigned
5	Warrant Officer	Cradock	Corruption	Dismissal
6	Sergeant	Cradock	Corruption	Dismissal
7	Constable	Cradock	Corruption	Dismissal
8	Constable	Cookhouse	Corruption	Dismissal
9	Constable	Cradock	Corruption	Dismissal
10	Sergeant	Steve Vukile Tshwete	Fraud	Pending
11	Constable	Mthatha POP	Defeating the ends of justice	Pending
12	Warrant Officer	East London	Corruption	Pending
13	Warrant Officer	Adelaide	Fraud	Pending
14	Sergeant	Cradock	Fraud	Pending
15	Sergeant	Adelaide	Fraud	Pending
16	Sergeant	Punzana	Fraud	Pending
17	Sergeant	Adelaide	Fraud	Pending
18	Constable	Adelaide	Fraud	Pending
19	Captain	Tsolo	Defeating the ends of justice	Pending
20	Constable	Port St Johns FCS	Defeating the ends of justice	Final written warning
21	Sergeant	Kirkwood	Corruption	Not guilty
22	Sergeant	Kirkwood	Corruption	Not guilty
23	Warrant Officer	Kirkwood	Corruption	Not guilty
24	Sergeant	Steve Vukile Tshwete	Corruption	Pending
FREE STATE				
1	Constable	Botshabelo Detectives	Aiding an escapee	Dismissed
2	Warrant Officer	Clocolan Detectives	Corruption	Resigned
3	Sergeant	Welkom Vehicle Crime Investigation Unit	Corruption	Pending
4	Captain	Welkom Detectives	Corruption	Pending
5	Sergeant	Ficksburg	Corruption	Dismissed
6	Constable	Ficksburg	Corruption	Dismissed
7	Constable	Ficksburg	Corruption	Dismissed
8	Constable	Ficksburg	Corruption	Dismissed
9	Constable	Welkom	Corruption	Pending
10	Sergeant	Welkom	Corruption	Pending
11	Sergeant	Welkom	Corruption	Dismissed

ANNEXURE IP17 717

Number	Rank	Station/Unit	Misconduct committed	Outcome
12	Sergeant	Villiers	Corruption	One month suspension without salary
13	Sergeant	Welkom POP	Corruption	Pending
14	Administration Clerk	Provincial Office: Detective Service	Corruption	Pending
15	Warrant Officer	Senekal	Corruption	One month suspension without salary
16	Constable	Senekal	Corruption	One month suspension without salary
17	Warrant Officer	Parkweg	Corruption	Progressive: counselling
18	Sergeant	Parkweg	Fraud	Pending
19	Warrant Officer	Phuthaditjhaba FCS	Corruption	Not guilty
20	Warrant Officer	Odendaalsrus	Corruption	Pending
21	Sergeant	Odendaalsrus	Corruption	Pending
22	Constable	Odendaalsrus	Corruption	Pending
23	Sergeant	Odendaalsrus	Corruption	Pending
24	Constable	Visible Policing: Marquard	Corruption	Pending
25	Constable	Visible Policing: Marquard	Corruption	Pending
26	Constable	Ficksburg Detectives	Corruption	Pending
27	Captain	Sasolburg	Corruption	Resigned
28	Sergeant	Welkom POP	Corruption	Final written warning
29	Sergeant	Odendaalsrus	Corruption	Pending
30	Warrant Officer	Odendaalsrus	Corruption	Pending
31	Sergeant	Zamdela Detectives	Corruption	Dismissed
32	Constable	Welkom FCS	Corruption	Pending
33	Constable	Kagisanong	Corruption	Pending
34	Sergeant	Viljoenskroon	Corruption	Pending
35	Sergeant	Edenville	Fraud	Dismissed
36	Constable	Kagisanong	Corruption	Pending
37	Warrant Officer	Harrismith Court Duties	Aiding an escapee	Pending
38	Warrant Officer	Bohlokong	Aiding an escapee	Pending
39	Constable	Bohlokong	Aiding an escapee	Pending
40	Constable	Bothaville	Corruption	Dismissed
41	Warrant Officer	Visible Policing: Marquard	Corruption	Pending
42	Constable	Parkweg	Corruption	Pending
43	Constable	Welkom Detectives	Corruption	Pending
44	Constable	Welkom Vehicle Identification Section	Corruption	Pending
45	Warrant Officer	Marquard Vispol	Corruption	Pending
46	Warrant Officer	Ficksburg Community Service Centre	Corruption	Pending
47	Constable	Ficksburg Community Service Centre	Corruption	Pending
48	Captain	Selosesha	Corruption	Pending
49	Warrant Officer	Makwane	Corruption	Pending

Number	Rank	Station/Unit	Misconduct committed	Outcome
50	Lt Colonel	Phuthaditjhaba	Corruption	Pending
51	Sergeant	Bothaville	Corruption	Resigned
52	Constable	Bothaville	Corruption	Dismissed
53	Constable	Bothaville	Corruption	Dismissed
54	Constable	Bothaville	Corruption	Dismissed
55	Constable	Bothaville	Corruption	Dismissed
GAUTENG				
1	Constable	Silverton	Corruption	Pending
2	Constable	Silverton	Corruption	Pending
3	Constable	Krugersdorp	Corruption	Dismissed
4	Constable	Sunnyside	Corruption	Not guilty
5	Constable	Etwatwa	Corruption	Withdrawn
6	Constable	Sebokeng	Corruption	Dismissed
7	Accounting Clerk	Katlehong	Corruption	Pending
8	Constable	Pretoria West	Corruption	Pending
9	Constable	Pretoria West	Corruption	Pending
10	Constable	Pretoria West	Corruption	Pending
11	Constable	Linden	Extortion	Withdrawn
12	Constable	Linden	Extortion	Withdrawn
13	Sergeant	Benoni K9	Corruption	Not guilty
14	Constable	Benoni K9	Corruption	Not guilty
15	Constable	Sedibeng K9	Corruption	Final written warning
16	Constable	Sedibeng K9	Corruption	Final written warning
17	Constable	Sedibeng K9	Corruption	Final written warning
18	Warrant Officer	Soweto K9	Corruption	Final written warning
19	Constable	Soweto K9	Corruption	Final written warning
20	Constable	Lyttelton	Corruption	Not guilty
21	Constable	Lyttelton	Corruption	Not guilty
22	Constable	Sebenza	Corruption	Withdrawn
23	Constable	Sebenza	Corruption	Withdrawn
24	Constable	Florida	Corruption	Pending
25	Constable	Fairland	Corruption	Dismissed
26	Sergeant	Linden	Extortion	Withdrawn
27	Constable	Linden	Extortion	Withdrawn
28	Sergeant	Soweto Flying Squad	Corruption	Pending
29	Constable	Soweto Flying Squad	Corruption	Pending
30	Captain	Primrose	Extortion	Not guilty
31	Sergeant	Vosloorus	Extortion	Withdrawn
32	Constable	Vosloorus	Extortion	Withdrawn
33	Constable	Vosloorus	Extortion	Withdrawn
34	Constable	Rietgat	Corruption	Pending
35	Constable	Rietgat	Corruption	Pending
36	Constable	Muldersdrift	Corruption	Pending

Number	Rank	Station/Unit	Misconduct committed	Outcome
37	Constable	Muldersdrift	Corruption	Pending
38	Constable	Boksburg	Corruption	Pending
39	Sergeant	Benoni	Corruption	Pending
40	Constable	Benoni	Corruption	Pending
41	Warrant Officer	Cullinan	Corruption	Pending
42	Constable	Germiston	Corruption	Pending
43	Constable	Boksburg	Corruption	Pending
44	Constable	Boksburg	Corruption	Pending
45	Constable	Duduza	Corruption	Pending
46	Sergeant	Lenasia	Corruption	Pending
47	Constable	Alexandra	Bribery	Pending
48	Constable	Germiston Flying Squad	Corruption	Pending
49	Captain	Johannesburg POP	Corruption	Pending
50	Warrant Officer	Johannesburg POP	Corruption	Pending
51	Sergeant	Sedibeng Flying Squad	Corruption	Pending
52	Constable	Sedibeng Flying Squad	Corruption	Pending
53	Constable	Ivory Park	Corruption	Pending
54	Constable	Ivory Park	Corruption	Pending
55	Constable	Douglasdale	Corruption	Resigned
56	Sergeant	Douglasdale	Corruption	Pending
57	Constable	Norwood	Corruption	Pending
58	Sergeant	Florida	Corruption	Pending
59	Constable	Brooklyn	Corruption	Not guilty
60	Sergeant	Pretoria Central	Corruption	Pending
KWAZULU-NATAL				
1	Constable	Durban Central	Corruption	Two months suspension without salary
2	Administration Clerk	Durban Central	Corruption	Two months suspension without salary
3	Constable	Durban Central	Extortion	Pending
4	Constable	Durban Central	Extortion	Pending
5	Constable	Inanda	Extortion	Pending
6	Constable	Inanda	Extortion	Pending
7	Constable	Inanda	Extortion	Pending
8	Sergeant	Inanda	Extortion	Pending
9	Constable	Inanda	Extortion	Pending
10	Warrant Officer	Durban Central	Corruption	Resigned
11	Sergeant	Durban Central	Corruption	Pending
12	Sergeant	Durban Central	Corruption	Pending
13	Warrant Officer	Durban Central	Corruption	Pending
14	Call Centre Operator	Hilton 10111	Corruption	Pending
15	Call Centre Operator	Hilton 10111	Corruption	Pending
16	Call Centre Operator	Hilton 10111	Corruption	Pending
17	Call Centre Operator	Hilton 10111	Corruption	Pending
18	Call Centre Operator	Hilton 10111	Corruption	Pending

Number	Rank	Station/Unit	Misconduct committed	Outcome
19	Call Centre Operator	Hilton 10111	Corruption	Pending
20	Senior Administration Clerk	Hilton 10111	Corruption	Pending
21	Administration Clerk	Hilton 10111	Corruption	Pending
22	Call Centre Operator	Hilton 10111	Corruption	Pending
23	Constable	Durban North	Corruption	Pending
24	Sergeant	Inanda	Corruption	Pending
25	Sergeant	Pinetown	Corruption	Resigned
26	Sergeant	Pinetown	Corruption	Resigned
27	Constable	Amanzimtoti	Corruption	Dismissal
28	Constable	Durban North	Corruption	Pending
29	Warrant Officer	Chatsworth	Extortion	Pending
30	Brigadier	KwaDukuza	Fraud	Pending
31	Brigadier	Inanda	Fraud	Pending
LIMPOPO				
1	Warrant Officer	Driekop	Extortion	Pending
2	Constable	Tzaneen	Extortion	Resigned
3	Sergeant	Polokwane	Extortion	Dismissed
4	Constable	Polokwane	Extortion	Dismissed
5	Sergeant	Morebeng	Corruption	Resigned
6	Constable	Morebeng	Corruption	Resigned
7	Sergeant	Morebeng	Corruption	Not guilty
8	Constable	Morebeng	Corruption	Not guilty
9	Constable	Morebeng	Corruption	Not guilty
10	Warrant Officer	Mogwadi	Defeating the ends of justice	Dismissal
11	Constable	Provincial Office: Organised Crime	Corruption	Pending
12	Sergeant	Provincial Office: Organised Crime	Corruption	Pending
13	Sergeant	Provincial Office: Organised Crime	Corruption	Pending
14	Sergeant	Provincial Office: Organised Crime	Defeating the ends of justice	Pending
15	Constable	Modimolle	Corruption	Pending
16	Constable	Dennilton	Extortion	Pending
17	Constable	Dennilton	Extortion	Pending
18	Major General	Limpopo	Fraud	Pending
MPUMALANGA				
1	Warrant Officer	Middelburg	Fraud	One month suspension without salary
2	Warrant Officer	Vosman	Corruption	Two months suspension without salary
3	Sergeant	Kwamhlanga POP	Corruption	Dismissal
4	Constable	Middelburg Flying Squad	Corruption	Dismissal
5	Constable	Middelburg Flying Squad	Corruption	Dismissal

Number	Rank	Station/Unit	Misconduct committed	Outcome
6	Sergeant	Mhluzi Crime Intelligence Service	Corruption	Not guilty
7	Sergeant	Mhluzi Crime Intelligence Service	Corruption	Not guilty
8	Sergeant	Mhluzi Crime Intelligence Service	Corruption	Not guilty
9	Constable	Mhluzi Crime Intelligence Service	Corruption	Not guilty
10	Constable	Mayflower	Corruption	Pending
11	Constable	Mayflower	Corruption	Pending
12	Warrant Officer	Low's Creek	Corruption	Pending
13	Sergeant	Morgenzon	Corruption	Two months suspension without salary
14	Sergeant	Tonga FCS	Corruption	Dismissal
15	Constable	Carolina	Corruption	One month suspension without salary
16	Constable	Carolina	Corruption	Dismissal
17	Sergeant	Komatipoort	Corruption	Pending
18	Warrant Officer	Mhluzi	Corruption	Resigned
19	Captain	Witbank	Corruption	Pending
20	Sergeant	Witbank	Corruption	Pending
21	Constable	Witbank	Corruption	Pending
22	Administration Clerk	Volksrust	Corruption	Pending
23	Sergeant	Kaapmuiden	Corruption	Pending
24	Constable	Middelburg	Corruption	Not guilty
25	Constable	Middelburg	Corruption	Dismissal
26	Warrant Officer	Hendrina	Corruption	Not guilty
27	Constable	Hendrina	Corruption	Not guilty
28	Sergeant	Fernie	Corruption	Written warning
29	Constable	Fernie	Corruption	Not guilty
30	Sergeant	Pienaar	Corruption	Not guilty
NORTHERN CAPE				
1	Constable	Jan Kempdorp	Extortion	Pending
2	Captain	Anti-Corruption	Fraud	Pending
3	Constable	Kimberley	Corruption	Resigned
NORTH WEST				
1	Constable	Biesiesvlei	Corruption	Pending
2	Sergeant	Brits	Corruption	Pending
3	Constable	Brits	Corruption	Pending
4	Constable	Brits	Corruption	Pending
5	Warrant Officer	Klerksdorp	Corruption	Pending
6	Warrant Officer	Provincial Office	Corruption	Provisionally withdrawn
7	Sergeant	Lethlabile	Corruption	Dismissal
8	Warrant Officer	Lethlabile	Corruption	Resigned

Number	Rank	Station/Unit	Misconduct committed	Outcome
9	Sergeant	Klerksdorp	Corruption	Provisionally withdrawn
10	Constable	Klerksdorp	Corruption	Provisionally withdrawn
11	Sergeant	Khuma	Corruption	Pending
12	Constable	Khuma	Corruption	Pending
WESTERN CAPE				
1	Constable	Belhar	Fraud	Final written warning
2	Constable	Goodwood	Corruption	Dismissal
3	Constable	Montagu	Bribery	Withdrawn at hearing
4	Constable	Kensington	Extortion	Withdrawn at hearing
5	Sergeant	Philadelphia	Bribery	Dismissal
CRIME INTELLIGENCE				
1	Warrant Officer	KwaZulu-Natal	Extortion	Dismissed
2	Constable	KwaZulu-Natal	Extortion	Dismissed
3	Constable	KwaZulu-Natal	Extortion	Two months suspension without salary
4	Warrant Officer	Head Office	Extortion	Dismissed
5	Constable	Gauteng	Extortion	Not guilty
6	Constable	Gauteng	Corruption	Not guilty
7	Constable	Gauteng	Corruption	Pending
8	Sergeant	KwaZulu-Natal	Corruption	Written warning
9	Constable	Gauteng	Corruption	Pending
10	Senior Accounting Clerk	Mpumalanga	Corruption	Final written warning
11	Constable	Mpumalanga	Corruption	Pending
12	Warrant Officer	Head Office	Corruption	Pending
OPERATIONAL RESPONSE SERVICES				
1	Warrant Officer	Skilpadhek Border Post	Extortion and corruption	Progressive: written warning
VISPOL				
1	Sergeant	Rapid Rail Police Unit: Western Cape and Northern Cape	Extortion	Not guilty
2	Constable	Rapid Rail Police Unit: Gauteng North and Limpopo	Extortion	Not guilty
3	Constable	Rapid Rail Police Unit: Gauteng South and North West	Extortion	Dismissed from the service
4	Sergeant	Rapid Rail Police Unit: Gauteng South and North West	Corruption	Pending
DETECTIVE SERVICE				
1	Warrant Officer	Anti-Corruption	Extortion	Withdrawn
FORENSIC SERVICES				
1	Brigadier	Questioned Documents	Corruption	Dismissal
2	Colonel	Questioned Documents	Corruption	Two months suspension without salary
3	Colonel	Questioned Documents	Corruption	Two months suspension without salary

Number	Rank	Station/Unit	Misconduct committed	Outcome
4	Colonel	Questioned Documents	Corruption	Two months suspension without salary
5	Lieutenant General	Forensic Services Division	Fraud and corruption	Pending
HUMAN RESOURCE DEVELOPMENT				
1	Major General	Human Resource Development Division	Corruption	Pending
2	Colonel	Benoni	Corruption	Pending
3	Captain	Benoni	Corruption	Pending
4	Colonel	Benoni	Corruption	Pending
HUMAN RESOURCE MANAGEMENT				
1	Lieutenant General	Human Resource Management: Head Office	Corruption	Not guilty
SUPPLY CHAIN MANAGEMENT				
1	Warrant Officer	Worcester Garage	Corruption	No prima facie case

Fraud and corruption: Breakdown of charges: 1 April 2019 to 31 March 2020

National/ provincial	Members charged	Total cases placed on roll	Disciplinary hearing finalised	Guilty	Not guilty	Withdrawn	Resigned	No prima facie	Progressive	Dismissal	Sanction short of dismissal	Total pending
Eastern Cape	24	13	13	6	6	-	1	-	-	5	1	11
Free State	55	21	21	17	1	-	3	-	1	13	4	33
Gauteng	60	32	26	8	6	10	1	-	-	3	5	35
KwaZulu-Natal	31	6	6	3	-	-	3	-	-	1	2	25
Limpopo	18	9	9	3	3		3	-	-	3	-	9
Mpumalanga	30	22	21	11	9	-	1	-	-	6	5	9
Northern Cape	3	1	1	-	-	-	1	-	-	-	-	2
North West	12	5	5	1	-	3	1	-	-	1	-	7
Western Cape	5	5	5	3	-	2	-	-	-	2	1	0
Crime Intelligence	12	9	8	6	2	-	-	-	-	3	3	4
ORS	1	-	-	-	-	-	-	-	1	1	0	0
Visible Policing	4	3	3	1	2	-	-	-		1	-	1
Detective Service	1	1	1	-	-	1	-	-	-	-	-	0
Forensic Services	5	4	4	4	-	-	-	-	-	1	3	1
Human Resource Development	4	-	-	-	-	-	-	-	-	-	-	4
Human Resource Management	1	1	1	-	1	-	-	-	-	-	-	0
Supply Chain Management	1	-	-	-	-	-	-	1	-	-	-	0
Total	**267**	**132**	**124**	**63**	**30**	**16**	**14**	**1**	**2**	**40**	**24**	**141**

Reasons for not guilty finding

No evidence	17
Insufficient evidence	09
Witness does not want to proceed with case	1
Witness contradicted statement	1
Procedural unfairness	2
Total	**30**

4. MINIMISING CONFLICT OF INTEREST

The Public Administration Management Act, 2014 (Act No 11 of 2014), read together with the Public Service Regulations, 2016 prohibits public service employees, including SAPS employees, to conduct business with any government department.

The latest Declaration of Interest (SBD 4), issued through National Treasury Instruction Note, dated 31 May 2011, requires bidders to declare, amongst others, whether they are employed by the State. Therefore, supply chain practitioners are now required to utilise the SBD 4 with all written price quotations or bids, in access of R2 000.00 (VAT included). During evaluation of written price quotations or bids, supply chain practitioners are required to verify the identity numbers, as provided in the SBD 4, against National Treasury's Central Supplier Database, as well as the Public Servant Verification System, which resides on the website of the DPSA. Subsequently, where it is found that any of the directors/trustees/members/shareholders are employed by the State, such written price quotations or bids will be disqualified. Documentary proof of the verification must be kept on file for record and audit purposes.

The departmental price quotations forms were revised and circulated nationally. The revised price quotation forms now include a section on compliance verification, which must be completed by the relevant procurement practitioner, prior to the awarding of the contract.

Furthermore, when it is found that a bidder has made a false declaration, such a bidder's written price quotation or bid will be disqualified, in terms of the Treasury Regulations, which prescribe that the accounting officer may disregard the bid of any bidder if that bidder or any of its directors have abused the institution's supply chain management.

All members that participates in bid committees are required to sign confidentiality certificates, as well as conflict of interest declarations

A comprehensive register of employees involved in remunerative work outside the NPA is kept. All employees on the register were inspected. All the financial disclosures of SMS members were verified, in 2019/2020. The Integrity Management Service Section is working with employees to ensure that the details on the submissions are correct and correspond with the details contained in various official databases, such as the Companies and Intellectual Property Commission. All SAPS employees which fall within the categories required to disclose, are subjected to an integrity assessment within a four year cycle.

Advocacy programmes were rolled-out to address high-risk environments, such as ports of entry, the recruitment environment, priority police stations, basic training, as well as leadership training. Numerous face-to-face workshops and conferences were conducted, throughout the country. Certain programmes also focus on personnel at operational level, such as ports of entry. Numerous face-to-face workshops and conferences were conducted throughout the country. The Integrity @ Work Programme, is aimed at institutionalising the values of the organisation, which are contained in the Code of Ethics for the SAPS. Other advocacy-related programmes, include anti-corruption awareness, leadership ethics and work ethics. Internal communication networks are also extensively used to communicate issues relating to ethics and anti-corruption.

Conflict of interest is addressed, in accordance with the SAPS Discipline Regulations, 2016.

5. CODE OF CONDUCT

SAPS Management issue circulars, annually, pertaining to applications for remunerative work, outside the SAPS, as well as adherence to the SAPS Code of Conduct.

Employees of the SAPS are bound by the prescripts contained in Section 205 (3) of the Constitution of the Republic of South Africa, 1996 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.

Employees of the SAPS are also bound to uphold and abide by the prescripts contained in the SAPS Act, 1995 (Act No 68 of 1995) and other legislation, SAPS Employment Regulations, 2018 and National Instruction 18 of 2019, to adhere to the SAPS Code of Conduct.

Assessments by the Integrity Management Service, during 2019/2020, revealed that officials are generally non-compliant with the prescripts related to remunerative work and the SAPS Code of Conduct. This non-compliance prompted SAPS Management to implement a certificate, which is to be signed by all SAPS employees. The requirement for the certificate was communicated as follows:

The certificate of compliance is in the form of an affidavit and include a declaration, in terms of remunerative work and the SAPS Code of Conduct. Certificates had to be signed by all SAPS employees and placed on their personal files, by 30 June 2019. All commanders were required to submit a certificate, by 31 July 2019, to confirm that all members under their command have signed such a certificate. Provincial, Divisional and Regional Commissioners are required to sign a certificate, to confirm that all the employees under their command have signed such certificates, by 31 August 2019. The certificates by commanders were consolidated and forwarded to the Integrity Management Service Section, for inclusion in the SAPS Declaration of Interest Register.

Commanders at all levels were also required to read/recite the SAPS Code of Conduct at on duty parades, at management meetings, as well as at other meetings of any nature. This will ensure that the Code of Conduct is properly institutionalised. Posters were disseminated by the Corporate Communication and Liaison Component and Integrity Management Service Section pertaining to the Code of Conduct, as well as ethical behaviour in the SAPS and an instruction was issued to display the same at all police stations and units.

6. SAFETY, HEALTH AND ENVIRONMENTAL ISSUES

Safety, Health and Environmental (SHE) Management aims to promote a safe and healthy working environment, by implementing a framework that allows the SAPS to consistently identify and mitigate its health and safety risks, reduce incidents, enforce legislative compliance and improve overall performance.

SAPS personnel, including communities, are our valued asset and clients. We consult with our clients, in order to meet the legal requirements of the Occupational Health and Safety Act, 1993 (Act No 85 of 1993), as well as Section 24 of the Constitution of South Africa, 1996, which proclaim that everyone has the right to an environment that is not harmful to their health and well-being. SHE Management enforces compliance in the SAPS through:

MEDICAL SURVEILLANCE

A total number of 5 025 authorisations were processed and certified, during 2019/2020.

INCIDENT INVESTIGATION

There was no Section 24 incident that was reported and investigated, during 2019/2020.

SPECIFICATIONS/SPECIAL PROJECTS

Requests for the specification of protective equipment, namely; wide vision goggles and hearing protectors were drafted, during 2019/2020.

OCCUPATIONAL HEALTH AND SAFETY INSPECTIONS/ AUDITS CONDUCTED

A total of 106 premises were inspected at the following business units, in 2019/2020:

No	Province	Name	Date inspected
1	Eastern Cape	Buffalo Flats Police Station	2020-02-25
3	Eastern Cape	East London Vehicle Identification and Safeguarding Unit	2020-02-25

No	Province	Name	Date inspected
2	Eastern Cape	Butterworth Police Station	2020-02-26
4	Eastern Cape	Indwe Police Station	2020-02-24

ANNEXURE IP17 728

No	Province	Name	Date inspected
5	Eastern Cape	Mqanduli Police Station	2020-02-27
7	Free State	Bayswater Police Station	2019-10-03
9	Free State	Fauresmith Police Station	2019-07-10
11	Free State	Ladybrand Police Station	2019-07-08
13	Free State	Parkweg Police Station	2019-09-31
15	Free State	Trompsburg Police Station	2019-07-09
17	Free State	Verkeerdevlei Police Station	2019-07-12
19	Free State	Vredefort Police Station	2019-11-28
21	Free State	Wesselsbron Police Station	2019-11-26
23	Gauteng	Cullinan Crime Investigation: Detectives	2019-07-10
25	Gauteng	Heidelberg Police Station	2019-10-10
27	Gauteng	Honeydew Police Station	2020-02-06
29	Gauteng	Khutsong Police Station	2019-08-14
31	Gauteng	Magaliesburg Police Station	2019-08-15
33	Gauteng	Silverton Police Station	2019-07-09
35	Gauteng	Yeoville Police Station	2020-02-26
37	KwaZulu-Natal	Bulwer Police Station	2019-07-15
39	KwaZulu-Natal	Emanguzi Police Station	2019-11-04
41	KwaZulu-Natal	Gingindlovu Police Station	2020-02-25
43	KwaZulu-Natal	Himeville Police Station	2020-02-27
45	KwaZulu-Natal	Jozini Police Station	2019-11-07
47	KwaZulu-Natal	Msinga Police Station	2020-02-24
49	KwaZulu-Natal	Oliviershoek Police Station	2020-02-28
51	KwaZulu-Natal	Sawoti Police Station	2019-07-17
53	KwaZulu-Natal	Umbilo Police Station	2019-07-18
55	KwaZulu-Natal	Umlazi Police Station	2020-02-26

No	Province	Name	Date inspected
6	Eastern Cape	Qhasa Police Station	2019-07-19
8	Free State	Boshof Police Station	2019-10-01
10	Free State	Jagersfontein Police Station	2019-07-11
12	Free State	Masilo Satellite Station	2019-11-25
14	Free State	PSS Free State	2019-10-03
16	Free State	Ventersburg Police Station	2019-11-25
18	Free State	Viljoenskroon Police Station	2019-11-27
20	Free State	Wanda Police Station	2019-10-02
22	Gauteng	Boksburg Detectives	2020-02-26
24	Gauteng	Garankuwa FCS	2019-08-16
26	Gauteng	Hekpoort Police Station	2019-08-15
28	Gauteng	Kagiso Police Station	2019-10-09
30	Gauteng	Loate Police Station	2019-07-11
32	Gauteng	Midrand Police Station	2019-10-11
34	Gauteng	Sunnyside Police Station	2020-02-07
36	KwaZulu-Natal	Babanago Police Station	2020-02-25
38	KwaZulu-Natal	Dududu Police Station	2019-07-17
40	KwaZulu-Natal	Franklin Police Station	2019-07-15
42	KwaZulu-Natal	Groenvlei Police Station	2020-02-24
44	KwaZulu-Natal	Ingwavuma Police Station	2019-11-05
46	KwaZulu-Natal	Mbazwana Police Station	2019-11-06
48	KwaZulu-Natal	Ndumo Police Station	2019-11-05
50	KwaZulu-Natal	Phoenix Police Station	2020-02-26
52	KwaZulu-Natal	Taylors Halt Police Station	2019-07-15
54	KwaZulu-Natal	Umbombo Police Station	2019-11-07
56	KwaZulu-Natal	Upper Tugela Police Station	2020-02-28

No	Province	Name	Date inspected
57	Limpopo	Alldays Police Station	2019-07-31
58	Limpopo	Giyani Police Station	2019-11-06
59	Limpopo	Malamulele Police Station	2019-11-06
60	Limpopo	Marble Hall Police Station	2019-11-05
61	Limpopo	Modimolle Police Station	2019-07-20
62	Limpopo	Polokwane Bomb Disposal	2019-11-03
63	Limpopo	Provincial Crime Intelligence Gathering	2019-11-05
64	Limpopo	Provincial Criminal Record and Crime Scene Management Criminal Profiling Centre	2019-11-04
65	Limpopo	Provincial FCS	2019-11-04
66	Limpopo	Seshego Vehicle Identification and Safeguarding Unit	2019-11-03
67	Limpopo	Siloam Police Station	2019-07-30
68	Limpopo	Vhulaudzi Police Station	2019-07-30
69	Limpopo	Waterpoort Police Station	2019-07-31
70	Mpumalanga	Bethal Police Station	2019-08-20
71	Mpumalanga	Embalenhle Police Station	2019-08-22
72	Mpumalanga	Evander Police Station	2019-08-21
73	Mpumalanga	Grootvlei Police Station	2019-08-19
74	Mpumalanga	Hartebeeskop Police Station	2019-06-25
75	Mpumalanga	Matsulu-C Police Station	2019-06-26
76	Mpumalanga	Middelburg Crime Intelligence	2019-06-27
77	Mpumalanga	Nelspruit Organised Crime	2019-06-24
78	Mpumalanga	Nelspruit Technology Management Service	2019-06-24
79	Mpumalanga	Ogies Police Station	2019-08-22
80	Mpumalanga	Sakhile Police Station	2019-08-19
81	Mpumalanga	Secunda K9 Unit	2019-08-21
82	North West	Boitekong Police Station	2019-07-05
83	North West	Brits LCRC	2019-07-08
84	North West	Buffelshoek Police Station	2019-10-30
85	North West	Ikageng Police Station	2019-10-31
86	North West	Klerksdorp DPCI	2019-10-29
87	North West	Mahikeng Detectives	2019-07-02
88	North West	Mahikeng Human Resource Management and Human Resource Development	2019-07-02
89	North West	Potchefstroom Crime Intelligence	2019-11-01
90	North West	Rustenburg LCRC	2019-07-04
91	North West	Stilfontein K9 Unit	2019-10-28
92	North West	Tlhabane Police Station	2019-07-05
93	Northern Cape	Alexanderbay Police Station	2020-02-12
94	Northern Cape	Augrabies Police Station	2019-09-16

No	Province	Name	Date inspected
95	Northern Cape	Groblershoop Police Station	2019-09-19
97	Northern Cape	Hopetown Detectives	2019-07-08
99	Northern Cape	Kenhardt Police Station	2019-09-17
101	Northern Cape	Kuruman Police Station	2019-07-09
103	Northern Cape	Postmasburg Detectives	2019-07-10
105	Northern Cape	Upington Detectives	2019-09-20

No	Province	Name	Date inspected
96	Northern Cape	Hondeklip Bay Police Station	2020-02-10
98	Northern Cape	Kanoneiland Police Station	2019-09-18
100	Northern Cape	Komaggas Police Station	2020-02-10
102	Northern Cape	Lime Acres Police Station	2019-07-11
104	Northern Cape	Steinkopf Police Station	2020-02-11
106	Northern Cape	Van Zylrus Police Station	2020-02-14

7. PARLIAMENTARY COMMITTEES

BRIEFINGS BY THE SAPS TO PARLIAMENTARY COMMITTEES

Date	Committee	Agenda	Matters raised by committees	How the SAPS addressed these issues
2 to 3 July 2019	PCoP	The 2019/2020 Budget, APP and the 2014-2020 Strategic Plan of the SAPS.	Clarity seeking questions and additional information was requested by the Committee members, during the briefing. Report of the PCoP on the 2019/2020 Budget Vote (Vote 23) and the APP of the SAPS, dated 9 July 2019.	Responses were provided, during the briefing. Written responses to the request of information and recommendations, were submitted to the Committee.
17 July 2019	Select Committee on Security and Justice	The 2019/2020 Budget, APP and the 2014-2020 Strategic Plan of the SAPS.	Clarity seeking questions and additional information was requested by the Committee members, during the briefing.	Responses were provided, during the briefing. Written responses to the request for additional information, were submitted to the Committee.
20 August 2019	Standing Committee on Public Accounts (SCOPA)	Orientation Workshop for new SCOPA Members: Briefing by the ACTT.	Clarity seeking questions and additional information was requested by the Committee members, during the briefing.	Responses were provided, during the briefing.

Date	Committee	Agenda	Matters raised by committees	How the SAPS addressed these issues
21 August 2019	PCoP	Orientation Workshop for new Committee Members: Briefing by the SAPS on its priorities.	Clarity seeking questions and additional information was requested by the Committee members, during the briefing.	Responses were provided, during the briefing. Written responses to the request for additional information, were submitted to the Committee.
27 August 2019	Portfolio Committees on Tourism and Police	Joint Consultative Workshop on Tourist Safety and Security in South Africa.	Clarity seeking questions and additional information was requested by the Committee members, during the briefing.	Responses were provided, during the briefing. Written responses to the Committee recommendations, were submitted.
4 September 2019	Standing Committee on Finance	Briefing by the DPCI on the Steinhoff investigation.	Clarity seeking questions and additional information was requested by the Committee members, during the briefing.	Responses were provided, during the briefing.
10 September 2019	Portfolio Committee on Basic Education	Briefing by the SAPS on the Implementation of the School Safety Programme.	Clarity seeking questions and additional information was requested by the Committee members, during the briefing.	Responses were provided, during the briefing. Written responses to the request for additional information, were submitted to the Committee.
11 September and 30 October 2019	Select Committee on Security and Justice	Briefing by the SAPS on the Draft Notice: Declaration of Amnesty, in terms of Section 139, of the Firearms Control Act, 2000 (Act No 60 of 2000).	Clarity seeking questions and additional information was requested by the Committee members, during the briefing.	Responses were provided, during the briefing. Written responses were provided on matters, which were not responded to, in the meeting.
12 and 18 September 2019	PCoP	Briefing by SAPS on the 2018/2019 Annual Crime Statistics.	Clarity seeking questions and additional information was requested by the Committee members, during the briefing.	Responses were provided, during the briefing. Written responses were provided on matters, which were not responded to, in the meeting.

Date	Committee	Agenda	Matters raised by committees	How the SAPS addressed these issues
8 and 9 October 2019	PCoP	Briefing by the SAPS on the 2018/2019 Annual Report.	Clarity seeking questions and additional information was requested by the Committee members, during the visit. Report of the PCoP on the 2018/2019 Annual Report of the SAPS, dated 16 October 2019.	Responses were provided, during the briefing. Written responses to the Committee recommendations, were submitted.
23 October 2019	PCoP	Briefing by the SAPS on the Draft Notice: Declaration of Amnesty, in terms of Section 139, of the Firearms Control Act, 2000 (Act No 60 of 2000).	Clarity seeking questions and additional information was requested by the Committee members, during the briefing.	Responses were provided, during the briefing. Written responses to the request for additional information, were submitted to the Committee.
30 October 2020	PCoP	Briefing by the SAPS on the Gauteng, KwaZulu-Natal and the Western Cape Provincial Action Plans.	Clarity seeking questions and additional information was requested by the Committee members, during the briefing.	Responses were provided, during the briefing.
20 November 2019	PCoP	Western Cape Community Policing Forums and neighborhood watches.	Clarity seeking questions and additional information was requested by the Committee members, during the briefing.	Responses were provided, during the briefing.
27 November 2019	PCoP	Briefing by the SAPS on the petition of Mr Basson.	Clarity seeking questions and additional information was requested by the Committee members, during the briefing.	Responses were provided, during the briefing.
5 February and 11 March 2020	Select Committee on Security and Justice	Briefing by the SAPS on the proposed amendments to the Cybercrimes Bill.	Clarity seeking questions and additional information was requested by the Committee members, during the briefing.	Responses were provided during the briefing.
19 February and 4 March 2020	PCoP	Briefing by the SAPS on the first, second and third quarterly performance reports, 2019/2020.	Clarity seeking questions and additional information was requested by the Committee members, during the briefing.	Responses were provided, during the briefing. Written responses and additional information were submitted to the Committee.

Date	Committee	Agenda	Matters raised by committees	How the SAPS addressed these issues
6 March 2020	Standing Committee on the Auditor-General	Briefing by the SAPS on the ongoing threats of violence and intimidation of auditors in the municipalities.	Clarity seeking questions and additional information was requested by the Committee members, during the briefing.	Responses were provided, during the briefing.
10 March 2020	Portfolio Committee on Public Works and Infrastructure	Briefing by the SAPS on the safety and security at Parliamentary Villages.	Clarity seeking questions and additional information was requested by the Committee members, during the briefing.	Responses were provided, during the briefing.

Date	Committee	Agenda	Matters raised by committees	How the SAPS addressed these issues
11 March 2020	PCoP	Briefing by the SAPS on the consideration of the following petitions: Re-enlistment of the former Ciskei and Transkei members. Petition from the residents of Kempton Park, in Gauteng, calling on the National Assembly to investigate chronic inadequate visible policing and shortage of vehicles at the Kempton Park Police Station. Petition from the residents of Wattville, in Gauteng, calling on the National Assembly to address the escalation of crime, including GBV and violence against children, as well as the need for a police station in the area. Petition from the residents of Actonville, in Gauteng, calling on the National Assembly to investigate the high crime rate and drugs, the provision of police kiosks and police vehicles in the area. Petition from the residents of Kokomeng and the neighbouring villages, asking for the reopening of the Kokomeng Police Station, in North West.	Clarity seeking questions and additional information was requested by the Committee members, during the briefing.	Responses were provided, during the briefing.
17 March 2020	SCOPA	Briefing on the deviations, expansions, irregular, fruitless and wasteful expenditure, as stated in the SAPS Annual Report.	Clarity seeking questions and additional information was requested by the Committee members, during the briefing.	Responses were provided, during the briefing. Written responses and monthly reports to be submitted the Committee.

OVERSIGHT VISIT BY PARLIAMENTARY COMMITTEES

Date	Committee	Purpose of the visit	Matters raised by committees	How the SAPS addressed these issues
28 August 2019	PCoP and Defence and Military Veterans	Joint oversight to communities, in the Western Cape, where the SANDF is deployed.	Clarity seeking questions and additional information was requested by the Committee members, during the visit.	Responses were provided, during the visit.

8. STANDING COMMITTEE ON PUBLIC ACCOUNTS RESOLUTIONS

There were no SCOPA Resolutions adopted, for 2019/2020.

9. PRIOR MODIFICATIONS TO AUDIT REPORTS

Nature of the qualification, disclaimer, adverse opinion and matters of non-compliance[64]	Financial year in which it first arose	Progress made in clearing/resolving the matter
"I was unable to obtain sufficient appropriate audit evidence for the reported achievement of the indicators below. This was due to the reported performance not being supported by accurate underlying records that could be provided for audit purposes. I was unable to confirm the reported achievement by alternative means. Consequently, I was unable to determine whether any further adjustments were required to the reported achievements." **Performance indicator** / **Reported achievement** Number of reported serious crime: 1 681 328 Number of reported crimes against women: 179 683 Number of reported crimes against children: 45 229 Number of reported property-related crime: 498 198 Number of reported stolen/ robbed vehicles recovered: 28 418 Percentage of escapees from police custody versus arrested and charged: 0,048% Average national reaction time to Alpha complaints: 17:05 minutes Average national reaction time to Bravo complaints: 20:28 minutes Average national reaction time to Charlie complaints: 18:48 minutes	2018/2019	The Department implemented a new requirement from the AGSA, in terms of evidence documents, in support of reported performance information for all performance indicators in the APP, namely; a schedule reflecting a summary of underlying records, disaggregated, per organisational level (i.e. national, provincial, cluster/district and police station levels), accompanied by a data set reflecting the detail of all the underlying records included in the performance results. The Monitoring and Evaluation Section maintains reported performance and evidence documents for reference and audit purposes.

Nature of the qualification, disclaimer, adverse opinion and matters of non-compliance	Financial year in which it first arose	Progress made in clearing/resolving the matter
"The achievement in the annual performance report did not agree with the supporting evidence provided for the indicators listed below. The supporting evidence provided indicated that the achievement of these indicators were as follows:"	2018/2019	The Department implemented a new requirement from the AGSA, in terms of evidence documents, in support of reported performance information for all performance indicators in the APP, namely; a schedule reflecting a summary of underlying records, disaggregated, per organisational level (i.e. national, provincial, cluster/district and police station levels), accompanied by a data set reflecting the detail of all the underlying records included in the performance results. The Monitoring and Evaluation Section maintains reported performance and evidence documents for reference and audit purposes.

Performance indicator	Reported achievement	Audited value
Number of stolen/ lost and illegal firearms recovered	7 141	10 204
Number of SAPS-owned firearms reported as stolen/lost	607	689
Number of rural and rural/ urban mixed police stations implementing the set criteria of the four pillars of the Rural Safety Strategy	880	549
Number of schools identified to implement the School Safety Programme	1 300	174
Percentage of applications for new firearm licenses finalised within 90 working days	70,31%	62,26%

Nature of the qualification, disclaimer, adverse opinion and matters of non-compliance	Financial year in which it first arose	Progress made in clearing/resolving the matter
"I was unable to obtain sufficient appropriate audit evidence for the reported achievement of the indicators below. This was due to the reported performance not being supported by accurate underlying records that could be provided for audit purposes. I was unable to confirm the reported achievement by alternative means. Consequently, I was unable to determine whether any further adjustments were required to the reported achievements." **Performance indicator** / **Reported achievement** Detection rate for serious crime: 36,37% Percentage of trial-ready rate case dockets for serious crime: 89,92% Conviction rate for serious crime: 89,79% Detection rate for contact crime: 50,58% Percentage of trial-ready case dockets for contact crime: 90,14% Conviction rate for contact crime: 81,95% Detection rate for crimes committed against women 18 years and above (murder, attempted murder, all sexual offences, common assault and assault GBH): 73,81% Percentage of trial-ready case dockets for crimes committed against women 18 years and above (murder, attempted murder, all sexual offences, common assault and assault GBH): 90,08% Conviction rate for crimes committed against women 18 years and above (murder, attempted murder, all sexual offences, common assault and assault GBH): 84,81%	2018/2019	The Department implemented a new requirement from the AGSA, in terms of evidence documents, in support of reported performance information for all performance indicators in the APP, namely; a schedule reflecting a summary of underlying records, disaggregated, per organisational level (i.e. national, provincial, cluster/district and police station levels), accompanied by a data set reflecting the detail of all the underlying records included in the performance results. The Monitoring and Evaluation Section maintains reported performance and evidence documents for reference and audit purposes.

Nature of the qualification, disclaimer, adverse opinion and matters of non-compliance	Financial year in which it first arose	Progress made in clearing/resolving the matter

Performance indicator	Reported achievement
Detection rate for crimes committed against children under 18 years (murder, attempted murder, all sexual offences, common assault and assault GBH)	69,19%
Percentage trial-ready case dockets for crimes committed against children under 18 years (murder, attempted murder, all sexual offences, common assault and assault GBH)	86,12%
Conviction rate for crimes committed against children under 18 years (murder, attempted murder, all sexual offences, common assault and assault GBH)	90,06%
Detection rate for contact-related crime	49,81%
Percentage of trial-ready case dockets for contact-related crime	92,67%
Conviction rate for contact-related crime	87,86%
Detection rate for property-related crime	15,51%
Percentage of trial-ready case dockets for property-related crime	90,89%
Conviction rate for property-related crime	90,09%
Detection rate for other serious crime	36,16%
Percentage of trial-ready case dockets for other serious crime	88,06%
Conviction rate for other serious crime	96,79%
Detection rate for criminal and violent conduct during public protests	48,23%
Percentage of trial-ready case dockets for criminal and violent conduct during public protests	92,81%
Conviction rate for criminal and violent conduct during public protests	69,54%

<table>
<tr><th>Nature of the qualification, disclaimer, adverse opinion and matters of non-compliance</th><th>Financial year in which it first arose</th><th>Progress made in clearing/resolving the matter</th></tr>
<tr><td>"The achievement in the annual performance report did not agree with the supporting evidence provided for the indicators listed below. The supporting evidence provided indicated that the achievement of these indicators were as follows:"
<table>
<tr><th>Performance indicator</th><th>Reported achievement</th><th>Audited value</th></tr>
<tr><td>Detection rate for serious commercial crime-related charges</td><td>98,93%</td><td>80%</td></tr>
<tr><td>Percentage of trial-ready case dockets for fraud and corruption by individuals within the JCPS Cluster</td><td>82,37%</td><td>58%</td></tr>
</table></td><td>2018/2019</td><td>The Department implemented a new requirement from the AGSA, in terms of evidence documents, in support of reported performance information for all performance indicators in the APP, namely; a schedule reflecting a summary of underlying records, disaggregated, per organisational level (i.e. national, provincial, cluster/district and police station levels), accompanied by a data set reflecting the detail of all the underlying records included in the performance results.

The Monitoring and Evaluation Section maintains reported performance and evidence documents for reference and audit purposes.</td></tr>
<tr><td>Percentage of trial-ready case dockets for serious commercial crime-related charges

"The reported achievement of the target of 53% was not reliable, as the Department did not have an adequate performance management system to maintain records, to enable reliable reporting on the achievement of targets. As a result, I was unable to obtain sufficient appropriate audit evidence in some instances, while in other cases the supporting evidence provided did not agree with the reported achievement. Based on the supporting evidence that was provided, the achievement was 70%, but I was unable to confirm the reported achievement by alternative means. Consequently, I was unable to determine whether any further adjustments were required to the reported achievement."</td><td>2015/2016</td><td>The Department implemented a new requirement from the AGSA, in terms of evidence documents, in support of reported performance information for all performance indicators in the APP, namely; a schedule reflecting a summary of underlying records, disaggregated, per organisational level (i.e. national, provincial, cluster/district and police station levels), accompanied by a data set reflecting the detail of all the underlying records included in the performance results.

The Monitoring and Evaluation Section maintains reported performance and evidence documents for reference and audit purposes.</td></tr>
<tr><td>Percentage of biology DNA intelligence case exhibits (entries) finalized

"I was unable to obtain sufficient appropriate audit evidence for the reported achievement of the target. This was due to limitations placed on the scope of my work, as no evidence was provided to confirm the registration and finalisation dates of the exhibits. I was unable to confirm the reported achievement by alternative means. Consequently, I was unable to determine whether any adjustments were required to the achievement of 79, 58% as reported in the annual performance report."</td><td>2018/2019</td><td>The Department implemented a new requirement from the AGSA, in terms of evidence documents, in support of reported performance information for all performance indicators in the APP, namely; a schedule reflecting a summary of underlying records, disaggregated, per organisational level (i.e. national, provincial, cluster/district and police station levels), accompanied by a data set reflecting the detail of all the underlying records included in the performance results.

The Monitoring and Evaluation Section maintains reported performance and evidence documents for reference and audit purposes.</td></tr>
</table>

<table>
<tr><th>Nature of the qualification, disclaimer, adverse opinion and matters of non-compliance</th><th>Financial year in which it first arose</th><th>Progress made in clearing/resolving the matter</th></tr>
<tr><td>"I was unable to obtain sufficient appropriate audit evidence for the reported achievement of the indicators below. This was due to limitations placed on the scope of my work. I was unable to confirm the reported achievement by alternative means. Consequently, I was unable to determine whether any adjustments were required to the achievements as reported in the annual performance report."
<table>
<tr><th>Performance indicator</th><th>Reported achievement</th></tr>
<tr><td>Percentage of physical security assessments finalised, as per Annual Assurance Schedule</td><td>113,59%</td></tr>
<tr><td>Percentage of ICT security assessments finalised, as per the Annual Assurance Schedule</td><td>239,86%</td></tr>
<tr><td>Percentage of reactive intelligence reports that were operationalised by the relevant business unit</td><td>43,90%</td></tr>
<tr><td>Percentage of proactive intelligence reports that were operationalised by the relevant business unit</td><td>60,32%</td></tr>
</table></td><td>2017/2018</td><td>The Department implemented a new requirement from the AGSA, in terms of evidence documents, in support of reported performance information for all performance indicators in the APP, namely; a schedule reflecting a summary of underlying records, disaggregated, per organisational level (i.e. national, provincial, cluster/district and police station levels), accompanied by a data set reflecting the detail of all the underlying records included in the performance results.

The Monitoring and Evaluation Section maintains reported performance and evidence documents for reference and audit purposes.</td></tr>
</table>

<table>
<tr><th>Nature of the qualification, disclaimer, adverse opinion and matters of non-compliance</th><th>Financial year in which it first arose</th><th>Progress made in clearing/resolving the matter</th></tr>
<tr><td>"The achievement in the annual performance report did not agree with the supporting evidence provided for the indicators listed below. The supporting evidence provided indicated that the achievement of these indicators were as follows:"
<table>
<tr><th>Performance indicator</th><th>Reported achievement</th><th>Audited value</th></tr>
<tr><td>Number of early warning reports generated for proactive policing operations</td><td>32 805</td><td>19 683</td></tr>
<tr><td>Number of threat and risk assessment reports generated for proactive policing operations</td><td>47 623</td><td>13 016</td></tr>
<tr><td>Number of security clearances issued</td><td>1 215</td><td>752</td></tr>
<tr><td>Percentage of arrests of identified transnational crime suspects facilitated</td><td>100%</td><td>33%</td></tr>
</table></td><td>2017/2018</td><td>The Department implemented a new requirement from the AGSA, in terms of evidence documents, in support of reported performance information for all performance indicators in the APP, namely; a schedule reflecting a summary of underlying records, disaggregated, per organisational level (i.e. national, provincial, cluster/district and police station levels), accompanied by a data set reflecting the detail of all the underlying records included in the performance results.

The Monitoring and Evaluation Section maintains reported performance and evidence documents for reference and audit purposes.</td></tr>
<tr><td>Number of intelligence analysis reports generated for reactive policing operations

"The reported performance achievement of 195 667 for the target of 141 423 was not reliable, as the department did not have an adequate recordkeeping system to enable reliable reporting on the achievement of this indicator. As a result, I was unable to obtain sufficient appropriate audit evidence in some instances, while in other cases the supporting evidence provided did not agree with the reported achievement. Based on the supporting evidence provided, the achievement was 86 967, but I was unable to confirm the reported achievement by alternative means. Consequently, I was unable to determine whether any further adjustments were required to the reported achievement."</td><td>2017/2018</td><td>The Department implemented a new requirement from the AGSA, in terms of evidence documents, in support of reported performance information for all performance indicators in the APP, namely; a schedule reflecting a summary of underlying records, disaggregated, per organisational level (i.e. national, provincial, cluster/district and police station levels), accompanied by a data set reflecting the detail of all the underlying records included in the performance results.

The Monitoring and Evaluation Section maintains reported performance and evidence documents for reference and audit purposes.</td></tr>
</table>

Nature of the qualification, disclaimer, adverse opinion and matters of non-compliance	Financial year in which it first arose	Progress made in clearing/resolving the matter
Percentage of network operations successfully terminated "The reported performance achievement of 35,38% for the target of 100% was not reliable, as the Department did not have an adequate performance management system to maintain records, to enable reliable reporting on the achievement of targets. As a result, I was unable to obtain sufficient appropriate audit evidence in some instances, while in other cases the supporting evidence provided did not agree with the reported achievement. Based on the supporting evidence that was provided, the achievement was 30%, but I was unable to confirm the reported achievement by alternative means. Consequently, I was unable to determine whether any further adjustments were required to the reported achievement."	2017/2018	The Department implemented a new requirement from the AGSA, in terms of evidence documents, in support of reported performance information for all performance indicators in the APP, namely; a schedule reflecting a summary of underlying records, disaggregated, per organisational level (i.e. national, provincial, cluster/district and police station levels), accompanied by a data set reflecting the detail of all the underlying records included in the performance results. The Monitoring and Evaluation Section maintains reported performance and evidence documents for reference and audit purposes.

10. INTERNAL CONTROL UNIT

In the absence of a dedicated Internal Control Unit, the SAPS established a combined assurance approach, intended to incorporate and optimise all assurance services and functions, to ensure an effective control environment and to support the integrity of information used in decision making, as espoused in the King Code on Corporate Governance, under the stewardship of a Combined Assurance Committee that reported to the SAPS Audit Committee.

The SAPS embarked on a process to develop a new Combined Assurance Framework and Methodology (Risk-Based Approach) to be in line with National Treasury and best practices, such as King IV. The process was initiated subsequent to a presentation on combined assurance, by National Treasury to the Audit Committee.

During 2019/2020, the Office of the Chief Financial Officer reported on the internal control unit, regarding the reliability of reporting, the effectiveness and efficiency of operations and compliance with applicable financial laws and regulations.

The SAPS maintains a register for irregular, fruitless and wasteful expenditure. The National Treasury introduced a new irregular expenditure framework, namely; National Treasury Instruction No 1 of 2018/2019. On identification of any irregular, fruitless and wasteful expenditure, the Internal Control Unit submits a list of irregular transactions to the Loss Management Committee for investigation and to determine the root causes and confirmation of the irregular, fruitless and wasteful expenditure.

A report is provided to the Accounting Officer, on a monthly basis, with recommendations regarding action to be taken. The Financial Management and Administration Division is responsible for the coordination, consolidation and monitoring of the action plans, designed to address audit findings raised by the AGSA.

11. INTERNAL AUDIT AND AUDIT COMMITTEE

11.1 INTERNAL AUDIT ACTIVITY

The objective of the Internal Audit Activity is to provide independent and objective assurance and insight to management on the effectiveness of governance, risk management and internal control systems, in order to assist the SAPS in achieving its objectives. Internal Audit Activity projects are conducted, in accordance with approved risk-based and compliance reviews, performance information audits, information technology audits and forensic audits/investigation plans at police stations, provincial offices, divisions; components and units.

Internal Audit projects were undertaken, during 2019/2020 and reports were presented to the Audit Committee and SAPS Management. Where control weaknesses have been identified, management has/or is in the process of attending to such weaknesses.

The following internal audit work was completed, during 2019/2020:

- 11 risk-based and compliance reviews, at Head Office
- 49 risk-based and compliance reviews, at provincial offices, police stations and specialised units
- 22 performance information audits
- Two performance audits
- Four information technology audits
- 52 follow-up audits
- Four audits were deferred, including three follow-up audits
- Six forensic investigations

In 2019/2020, the Chief Financial Officer requested the Internal Audit Activity to review the procurement process, to identify irregular expenditure. The review was conducted on transactions below and above R500 000. The review has assisted the Department in a great deal as subsequent to that the qualification on irregular expenditure was cleared by the AGSA.

The Internal Audit Activity could not appoint an external assessor, as a state of readiness assessment was in progress. The finilisation of the state of readiness was delayed and put on hold, due to the COVID-19 pandemic.

11.2 AUDIT COMMITTEE REPORT

The objective of the Audit Committee is to monitor the SAPS's compliance with applicable laws and regulations, governance processes and continuously assess the performance of the Internal Audit Activity to determine the level of its effectiveness. The Audit Committee operates within the approved Audit Committee Charter, in accordance with the requirements of the PFMA and Treasury Regulations.

We are pleased to present our report, for the financial year ended 31 March 2020.

The table below discloses relevant information on the Audit Committee members. The Audit Committee consisted of four members, all of which were external to the Department:

Name	Qualifications	Internal or external	If internal, position in the department	Date appointed	Date resigned	No. of meetings attended
Ms B Ngunjiri	BCompt (Hons), CTA, CCSA, CIA	External	N/A	01 November 2010*	N/A	5**
Mr T Boltman	BTech, CFE, CCSA, CGAP, CIA	External	N/A	01 November 2010*	N/A	7**
Mr JE Van Heerden	National Diploma: State Finance and Accounting, Registered Government Auditor (RGA)	External	N/A	01 November 2010*	N/A	7**
Mr M Karedi	BCompt (Hons)	External	N/A	01 November 2010*	N/A	7**
Mr M Mokwele (Ex-officio)#	BCom (Hons), CCSA, CIA, CFE	External	N/A	01 November 2010	N/A	6

* Term of office came to an end, on 30 October 2020. Four new external members were appointed.

#Mr Mokwele was the Chairman of the Enterprise Risk Management Committee and attended the Audit Committee meeting in that capacity. His term ended, on 21 October 2020.

** One Audit Committee meeting was held privately by the Audit Committee members and minutes was recorded.

AUDIT COMMITTEE RESPONSIBILITY

The Audit Committee reports that it has complied with its responsibilities arising from Section 38(1)(a) (ii) of the PFMA, 1999 and Treasury Regulation 3.1.13; namely, that the Department has and maintains a system of Internal Control under the control and direction of the Audit Committee complying with and operating in accordance with regulations prescribed by the PFMA. The Audit Committee also reports that it has adopted appropriate and formal terms of reference as its Audit Committee Charter and has regulated its affairs in compliance with the Charter and has discharged all its responsibilities as contained therein. The said terms of reference is informed by the PFMA, Treasury guidelines and Corporate Governance best practice.

INTERNAL AUDIT

The Audit Committee is satisfied that the Internal Audit function has properly discharged its functions and responsibilities during the year under review and is operating, in terms of the International Standards for the Professional Practice of Internal Auditing and in accordance with the approved Internal Audit Charter.

The Chief Audit Executive has direct and unlimited access to the Audit Committee.

EFFECTIVENESS OF INTERNAL CONTROL

The following were areas of concern that was brought to the attention of the SAPS:

PERFORMANCE INFORMATION MANAGEMENT

The Department has developed and implemented controls that are adequate, but not fully effective in mitigating risks relating to performance information. This resulted on audit findings made by both Internal Audit and the AGSA, which could have been prevented if the controls were implemented in an effective manner.

To address this matter, consequence management need to be taken to the next level, in order to ensure accountability.

Management furthermore embarked on an extensive exercise to instil a culture of ownership at all levels and the Audit Committee will follow the progress through regular interaction with the division responsible for the oversight and monitoring of performance information.

RISK MANAGEMENT

More work has been done, such as the development of the Enterprise Risk Management Strategy, approved risk management policy and annual Enterprise Risk Management implementation plan, to get risk management processes within the SAPS to be at a level that will set risk management at the right standing within the organisation.

The Department has, since March 2020, established an independent Enterprise Risk Management Committee, consisting of independent members and appointed a Chief Risk Officer within the Department.

However, there are still a number of critical issues that requires the attention and concerted effort from management, particularly the Accounting Officer, such as capacity building (i.e. in terms of the human resource and infrastructure) within the Enterprise Risk Management environment, at National and Provincial level, as well as the attendance of risk management committee meetings by senior management, to ensure compliance with the requirements of King IV and other best practices.

COMBINED ASSURANCE

During the course of financial years 2016/2017 and 2017/2018, the process of combined assurance was put on hold. This was due to the changes within leadership where the responsible persons involved within this process were rotated to other areas where they were needed. Except for Internal Audit and the Inspectorate, other management assurance providers' efforts were not engaged. In the meeting with the Accounting Officer, on 1 August 2018, a resolution was concluded to resuscitate the combined assurance process and to this end the required resources would be advanced and the Compliance Policy fully implemented. As at 30 September 2020, the combined assurance process had not yet fully taken off. Notwithstanding the above challenges; the coordination of work between internal and external audit (AGSA) is in place and has continued very well. The Audit Committee is also monitoring the process.

PROCUREMENT/SUPPLY CHAIN MANAGEMENT

The Department's system of internal controls, in respect of its procurement processes, though adequately designed, remain a matter of concern in that it does not detect, nor prevent instances of non-compliance with supply chain management prescripts. This resulted in significant irregular and fruitless expenditure being identified by Internal Audit, which was also in addition to that already disclosed by management.

CONSEQUENCE MANAGEMENT

Consequence management is not fully embedded in the Department, which led to a number of high-ranking officers being investigated for charges of fraud and corruption. The Audit Committee has recommended to the Department to develop a formal "Consequence Management Strategy Policy "document that would clearly set out the approach towards consequence management.

CONTRACT MANAGEMENT

Findings raised by the auditors indicate that ineffective contract management poses a significant risk to the Department.

INFORMATION AND COMMUNICATION TECHNOLOGY

The role of ICT within the Department, as a strategic partner and enabler, is not fully appreciated as the investment in ICT is not always coherently planned, which results in some systems not being fully utilised and also not assist in achieving the Department's strategic objectives.

ASSET MANAGEMENT - NETWORK ASSETS

During the year under review, the Department embarked on an extensive exercise to improve the controls relating to assets, in order to clear the audit qualification of previous years. This, among others, included obtaining further clarity from the National Treasury regarding compliance to the MCS and AMD, as well as a fair value assessment and disclosure of all Capital Network Infrastructure. Following the audit by the Auditor-General, certain inconsistencies remain, which led to an audit qualification. Given the view of the Department relating to the materiality of the findings, it is the considered view of the Committee that the Department could, within the next financial year, bring the matter fully under control. The Audit Committee will continue to monitor the matter going forward.

LEADERSHIP STABILITY

The Department experienced a continued change in top management over the past several years. This was especially the case with the position of the National Commissioner, who is also the Accounting Officer. This situation also led to the frequent restructuring of other top management positions. Management is a key component of internal control and governance. As identified during accountability processes/sessions and follow-up audits, ineffective monitoring of the agreed implementation of action plans by management to address internal control deficiencies, led to repeat audit findings.

IN-YEAR MANAGEMENT AND MONTHLY/QUARTERLY REPORTS

The Department has reported quarterly to National Treasury, as required by the PFMA. In addition, the Department has presented quarterly reports for review and or consideration to the Audit Committee.

EVALUATION OF FINANCIAL STATEMENTS

We have reviewed the annual financial statements prepared by the Department and recommended the statements for audit.

REPORT OF THE AUDITOR-GENERAL

We have reviewed the Department's implementation plan for audit issues raised in the previous year and although we are satisfied that most of the findings were included in the action plans, the level of success in preventing repeat findings was not achieved. This was mainly attributed to the fact that the Department did not perform a proper root cause analyses of the underlying cause that led to the internal and external audit finding. Timely follow-up to monitor adherence to the plan remain absent, in certain instances.

The Audit Committee furthermore appreciate the healthy and robust interaction between the Auditor and Management.

The Audit Committee concurs and accepts the conclusions of the Auditor-General on the annual financial statements and is of the opinion that the audited Annual Financial Statements be accepted and read together with the report of the Auditor-General.

APPRECIATION

The Audit Committee herby expresses its sincere appreciation for the support and cooperation it received from the Department and the AGSA during its term of office and wishes the new incoming Audit Committee all the best with its endeavours.

JE (Wally) van Heerden
Chairperson of the Audit Committee
South African Police Service
15 November 2020

12. BROAD-BASED BLACK ECONOMIC COMPLIANCE PERFORMANCE INFORMATION

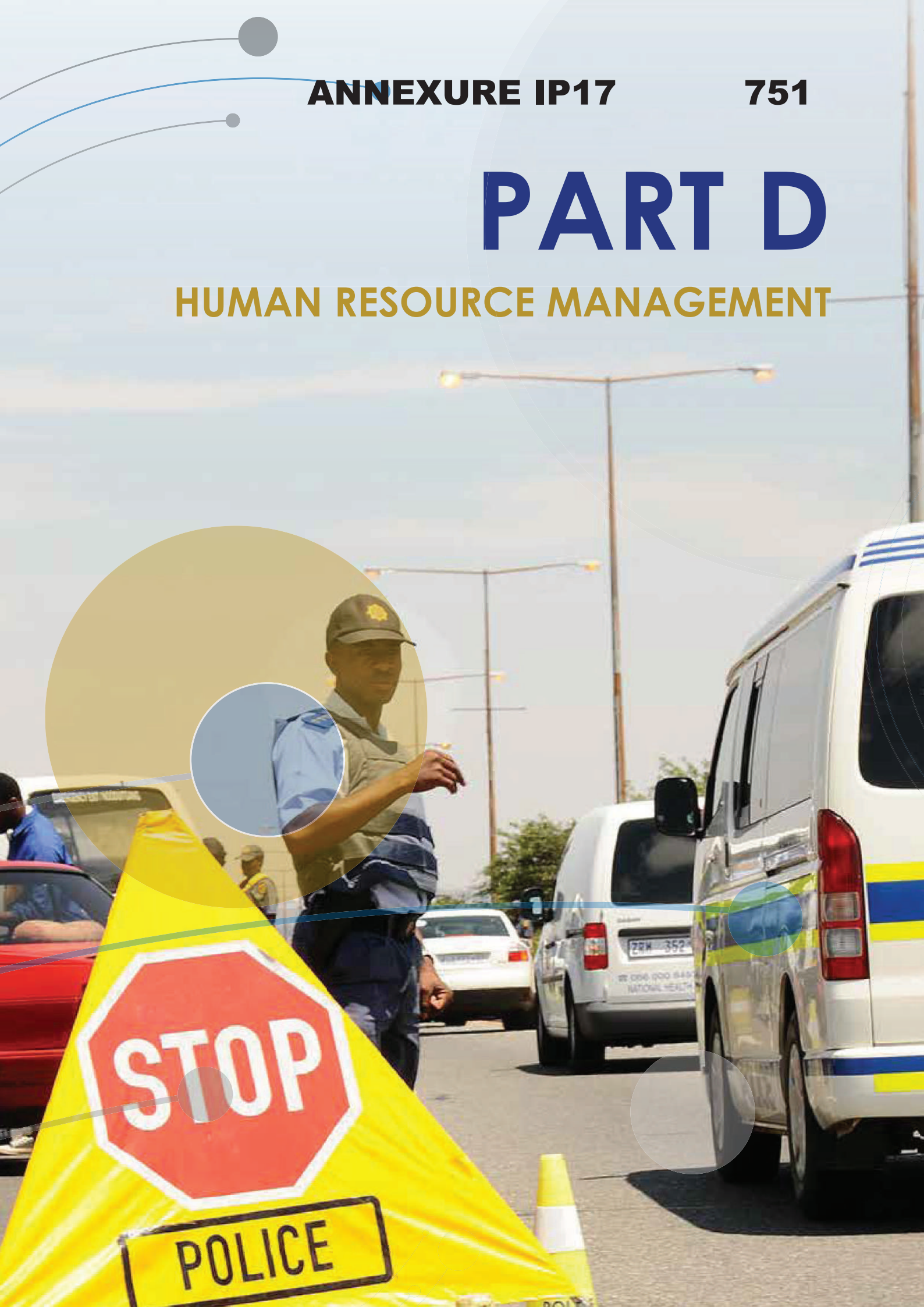
The SAPS is complying to Broad-Based Black Economic Empowerment (BBBEE) requirements, by utilising the Preferential Procurement Policy Framework Act (PPPFA) Regulations of 2017, in all procurement actions conducted.

BBBEE status levels of suppliers are utilised in the awarding of all procurement transactions above the R30 000.00 threshold, as prescribed in the PPPFA Regulations.

The SAPS is also applying PPPFA Regulation 9, whereby subcontracting (if feasible) are enforced, whereby 30% of the contract value must be subcontracted to advance designated groups, as prescribed by the Regulations.

PART D

HUMAN RESOURCE MANAGEMENT



1. INTRODUCTION

The information contained in this part of the Annual Report has been prescribed by the Minister of Public Service and Administration for all departments in the public service.

2. OVERVIEW OF HUMAN RESOURCES

THE STATUS OF HUMAN RESOURCES IN THE DEPARTMENT

The Department managed to maintain a staff compliment of 97,87% or 187 358, in relation to the planned target of 191 431. The enlistment of entry-level personnel allocated, during 2019/2020, were placed on hold, due to the COVID-19 pandemic.

During 2019/2020, the average employee turnover rate was 2,6%. This represents a marginal decrease of 0,4%, compared to 2018/2019. The loss of critical skills is monitored on a monthly basis by all the respective environments, to direct proactive interventions. The filling of critical vacancies within the prescribed timeframe, from the date of advertisement, remains a priority.

Resignations contributed significantly towards the number of exits recorded, in 2019/2020, followed by retirements. Resignations however, decreased slightly from 2 180, in 2018/2019, to 2 137, in 2019/2020. Retirements also decreased from 1 781, in 2018/2019, to 1 291, in 2019/2020. The most prominent reasons for employees resigning from the Service, is due to more lucrative work prospects, including better compensation opportunities.

Sick and incapacity leave days taken by employees, during January to December 2019 increased, with 362 830 days (23,77%), from 1 526 449 days, during January to December 2018, to 1 889 279 days, during January to December 2019.

HUMAN RESOURCE PRIORITIES FOR THE YEAR UNDER REVIEW

The following priorities were encapsulated within the Department's APP, for the 2019/2020 financial year:

- Establish an adequate human resource capability, with emphasis on POP, FCS, Organised Crime and Crime Intelligence.
- Increase the percentage of disabled employees employed within the Department.
- Ensure the filling of funded vacant positions within the prescribed timeframe, from the date of advertisement.

- Improve the finalisation rate of service terminations submitted to Government Pensions Administration Agency.
- Maintain the finalisation rate of disciplinary cases.
- Transform and professionalise the service, by prioritising training within Visible Policing and Detective Service (crime prevention, crimes committed against women and children and crime investigations) and specialised capabilities (POP, forensic science, crime intelligence and cybercrime).
- Improve operational readiness, by ensuring the competency of operational personnel in the Modules: Legal Principles and the Use of Firearms: Handgun.
- Increase the number of interns appointed within the Department.

KEY STRATEGIES TO ATTRACT AND RECRUIT A SKILLED AND CAPABLE WORKFORCE

Vacant funded positions were advertised and filled, in accordance with the Department's policies. Critical funded vacancies, especially within the scarce skill environments, received priority.

The Department has a comprehensive Recruitment Strategy, refined to attract talented personnel, in line with the Department's core objectives. This Strategy, which ultimately presents SAPS as the employer of choice, effectively encourages open competition, resulting in the selection of skilled candidates that promotes a capable workforce.

The Department also has an approved Retention Policy, which aims to establish a consistent and fair retention methodology across the SAPS, to ensure that employees of a high calibre, or those who possess scarce skills, are retained. It, furthermore, aims to assist commanders, supervisors, line managers and human resource managers in retaining staff, focusing on those employees who have scarce, critical or valued skills.

The Department provided bursaries and training opportunities to personnel, to further their qualifications and improve their skills/knowledge. The SAPS Bursary Policy is to be reviewed, to ensure that bursary allocations will be done, in accordance with the identified gaps in critical, scarce skilled occupations.

The Department is currently implementing the Graduates Recruitment Scheme, targeting unemployed graduates encouraging them to take part in the Workplace Integrated Learning Programme (internship programme). When there are opportunities for permanent employment within the Organisation, recruited interns are given first priority, but are still subjected to the selection and recruitment process.

EMPLOYEE PERFORMANCE MANAGEMENT

The Department has approved Performance Management and Development Systems for all employees. In addition to the information recorded in the Department's Human Resource Tables

towards SMS employees who concluded their performance agreements within the required target date, a total of 99,3% employees, on salary levels 1 to 12, concluded their performance plans, by the target date of 30 June 2019, which information was also registered on the Personnel and Salary Sub System (PERSAP).

EMPLOYEE WELLNESS PROGRAMMES

The SAPS Employee Health and Wellness is fully operational, offering different awareness and educational programmes guided by members, management or organisational needs. Prioritised programmes for this financial year were amongst others: Mental Health Programme, Sexual Harassment Programme, Sexual Abuse Programme, Ethics and Corruption, Occupational Health and Safety Programme, Disability Management, Basic Financial Management, Dignity Diversity Policing Programme and Colleague Sensitivity. These programmes are prioritised, following an analysis of the top five challenges that members seek help for, namely; relationships, finances, mental health, ethics and corruption and occupational and communicable diseases. Human Immunodeficiency Virus (HIV) and Tuberculosis (TB) screening sessions are conducted, in partnership with the Police Medical Aid (POLMED) and Government Employees Medical Scheme (GEMS) and the Health Risk Manager.

TRAINING AND DEVELOPMENT

The Department has increased the number of interns recruited to 1 158. A total number of 92 481 personnel received training and development opportunities, during 2019/2020, of which 91 765 employees were found competent.

ACHIEVEMENTS AND CHALLENGES FACED BY THE DEPARTMENT

Progress was made, during 2019/2020, towards achieving the set target of 2% for employees with disabilities, in relation to the total workforce. There was a 6,77% increase in the number of registered SAPS employees with a disability, from 2 880, in 2018/2019 to 3 075, in 2019/2020. The SAPS established partnerships with external institutions that provide a talent pool of people with disabilities available for employment in relevant SAPS funded vacant posts.

The disability representivity, as at 31 March 2020 is 1,64%. The SAPS has implemented the following measures towards achieving the 2% minimum target:

- 5% of vacant posts during recruitment and appointments are ring-fenced for persons with disabilities at support environments.
- The establishment of partnerships with organisations for persons with disabilities, to support the SAPS in the implementation of disability management programmes required by legislation.

» The establishment of a Disability Task Team Forum, both nationally and provincially, as a platform where employment needs of employees with disabilities are discussed, in order to eliminate employment barriers preventing the inclusion and participation of persons with disabilities.

The SAPS establishment was 187 358, at the end of March 2020 and did not achieve its target to maintain a minimum workforce of 98%. This was due to 786 employees, who went on early retirement without penalties, as part of the offer from Government, to reduce the public service wage bill.

The SAPS allocation for entry level appointments, in 2019/2020 was 7 300. A total of 7 000 posts were allocated for SAPS Act police trainees and 300 posts were allocated for PSA employees. The appointment processes were put on hold, due to the COVID 19 pandemic.

FUTURE HUMAN RESOURCES PLANS/GOALS

» Comply with the DPSA directives with regard to human resource planning, monitoring and reporting by developing a Medium-Term Human Resource Plan (2020/2021-2024/2025) and a Human Resource Implementation Report (2019/2020).

» Provide an accurate gap analysis through the correct alignment between human resource supply and demand, in accordance with the approved organisational structure and fixed establishment.

» Monitoring and evaluate the effectiveness and efficiency of Provincial Human Resource Committees.

» Establish Divisional Human Resource Committees.

» Monitoring and evaluate the optimal utilisation of personnel in the SAPS.

3. HUMAN RESOURCE OVERSIGHT STATISTICS

3.1. EXPENDITURE

The following tables summarise the final, audited personnel-related expenditure, by programme (table 3.1.1) and by salary band (table 3.1.2). In particular, it provides an indication of the amount spent on personnel costs, in terms of each of the programmes or salary bands within the Department.

Table 3.1.1 - Personnel costs by programme, for the period, 1 April 2019 to 31 March 2020

Programme	Total expenditure (R'000)	Compensation of employees (R'000)	Training expenditure (R'000)	Compensation of employees as percentage of total expenditure	Average compensation of employees cost, per employee (R'000)	Number of employees
Administration	19,922,542	13,590,850	2,529,367	68,2	380	35 781
Visible Policing	49,748,382	39,719,920		79,8	407	97 598
Detective Services	18,867,419	16,207,184		85,9	417	38 821
Crime Intelligence	4,155,774	3,817,530		91,9	444	8 590
Protection and Security Services	3,379,100	3,022,186		89,4	460	6 568
Total	**96,073,217**	**76,357,670**	**2,529,367**	**79,5**	**408**	**187 358**

Table 3.1.2 - Personnel costs by salary band, for the period, 1 April 2019 to 31 March 2020

Salary band	Compensation of employees cost (R'000)	Percentage of total compensation of employees	Average compensation of employees, per employee (R'000)	Number of employees
Lower skilled (Levels 1-2)	1,318,770	1,7	250	5 274
Skilled (Levels 3-5)	25,710,038	33,7	297	86 653
Highly skilled production (Levels 6-8)	41,096,415	53,8	479	85 829
Highly skilled supervision (Levels 9-12)	7,019,186	9,2	803	8 737
Senior management and Executive Authority (Levels 13-16)	1,213,261	1,6	1,403	865
Total	**76,357,670**	**100**	**408**	**187 358**

The following tables provide a summary, per programme (table 3.1.3) and salary band (3.1.4), of expenditure incurred, as a result of salaries, overtime, home owners allowance and medical assistance. In each case, the table provides an indication of the percentage of the personnel budget that was used for these items.

Table 3.1.3 - Salaries, overtime, home owners allowance and medical assistance by programme, for the period, 1 April 2019 to 31 March 2020

Programme	Salaries (R'000)	Salaries as percentage of compensation of employees	Overtime (R'000)	Overtime as percentage of compensation of employees	Home owners allowance (R'000)	Home owners allowance as percentage of compensation of employees	Medical assistance (R'000)	Medical assistance as percentage of compensation of employees	Total compensation of employees, per programme (R'000)
Administration	9,332,549	68,7	43,080	0,3	560,275	4,1	1,209,659	8,9	13,590,850
Visible Policing	24,864,765	62,6	540,506	1,4	1,462,934	3,7	5,161,876	13,0	39,719,920
Detective Services	10,816,126	66,7	94,147	0,6	579,713	3,6	1,717,579	10,6	16,207,184
Crime Intelligence	2,588,610	67,8	18,493	0,5	136,245	3,6	351,642	9,2	3,817,530
Protection and Security Services	1,813,496	60,0	357,310	11,8	98,821	3,3	217,650	7,2	3,022,186
Total	**49,415,546**	**64,7**	**1,053,536**	**1,4**	**2,837,988**	**3,7**	**8,658,406**	**11,3**	**76,357,670**

Table 3.1.4 - Salaries, overtime, home owners allowance and medical assistance by salary band, for the period, 1 April 2019 to 31 March 2020

Salary band	Salaries (R'000)	Salaries as percentage of compensation of employees	Overtime (R'000)	Overtime as percentage of compensation of employees	Home owners allowance (R'000)	Home owners allowance as percentage of compensation of employees	Medical assistance (R'000)	Medical assistance as percentage of compensation of employees	Total compensation of employees, per salary band (R'000)
Lower skilled (Levels 1-2)	788,507	59,8	2,215	0,2	85,666	6,5	330,130	25,0	1,318,770
Skilled (Levels 3-5)	16,113,654	62,7	222,449	0,9	1,291,271	5,0	4,313,351	16,8	25,710,038
Highly skilled production (Levels 6-8)	26,862,906	65,4	769,354	1,9	1,362,567	3,3	3,627,725	8,8	41,096,415
Highly skilled supervision (Levels 9-12)	4,786,713	68,2	59,518	0,8	96,302	1,4	352,254	5,0	7,019,186
Senior management and Executive Authority (Levels 13-16)	863,766	71,2	0	0,0	2,182	0,2	34,946	2,9	1,213,261
Total	**49,415,546**	**64,7**	**1,053,536**	**1,4**	**2,837,988**	**3,7**	**8,658,406**	**11,3**	**76,357,670**

3.2. EMPLOYMENT

The following tables summarise the year-end establishment, the number of employees, the vacancy rate and whether there are any employees who are additional to the establishment. This information is presented, in terms of three key variables - programme (table 3.2.1), salary band (table 3.2.2) and critical occupations (table 3.2.3).

Table 3.2.1 - Employment and vacancies by programme, at the end of the period, 31 March 2020

Programme	Year-end establishment	Number of employees	Vacancy rate (%)	Number of employees additional to the establishment
Administration	36 678	35 781	2,4	0
Visible Policing	99 604	97 598	2,0	0
Detective Services	39 763	38 821	2,4	0
Crime Intelligence	8 659	8 590	0,8	0
Protection and Security Services	6 727	6 568	2,4	0
Total	**191 431**	**187 358**	**2,1**	**0**

Table 3.2.2 - Employment and vacancies by salary band, at the end of the period, 31 March 2020

Salary band	Year-end establishment	Number of employees	Vacancy rate (%)	Number of employees additional to the establishment
Lower skilled (Levels 1-2)	5 382	5 274	2,0	0
Skilled (Levels 3-5)	88 584	86 653	2,2	0
Highly skilled production (Levels 6-8)	87 600	85 829	2,0	0
Highly skilled supervision (Levels 9-12)	8 923	8 737	2,1	0
Senior management (Levels 13-16)	940	863	8,2	0
Minister and Deputy Minister	2	2	0,0	0
Total	**191 431**	**187 358**	**2,1**	**0**

*Note: As at 31 March 2020, a total of 250 positions have been advertised and are in the process of being considered and/or reviewed.

Table 3.2.3 - Employment and vacancies by critical occupations, at the end of the period, 31 March 2020

Critical occupations	Year-end establishment	Number of employees	Vacancy rate (%)	Number of employees additional to the establishment
Aircraft pilots and related associate professionals	51	51	0,0	0
Architects, town and traffic planners	4	4	0,0	0
Chemists	1 845	1 845	0,0	0
Engineers and related professionals	278	78	71,9	0
General legal administration and related professionals	260	260	0,0	0
Natural sciences related	2	0	100	0
Police	134 309	134 272	0,0	0
Psychologists and vocational counsellors	112	112	0,0	0
Total	**136 861**	**136 622**	**0,2**	**0**

*Note: The Head of the Department/Chief Executive Officer and senior managers are, by their very nature, critical occupations, but have not been separately listed. Therefore, critical occupations have been addressed in occupational classes of aircraft pilots and related associate professionals, architects, town and traffic planners, chemists (physical science, chemical science, pharmacists and health science related), engineers and related professionals (electronic and engineering science), general legal administration and related professionals (attorneys), natural sciences related, police (functional personnel) and psychologists and vocational counsellors. The critical occupations (occupational classes) do not reflect all the positions filled in the SAPS, but only those that are considered as a priority for the optimal functioning of the SAPS's core functions. As at 31 March 2020, a total of 219 positions on levels 1 to 12, have been advertised and are in the process of being considered and/or reviewed.

3.3. FILLING OF SENIOR MANAGEMENT SERVICE POSTS

The tables in this section provide information on employment and vacancies, as it relates to members of the SMS, by SMS band. It also provides information on the advertising and filling of SMS posts, reasons for not complying with prescribed time frames and disciplinary steps taken.

Table 3.3.1 - SMS post information, as at 31 March 2020

SMS band	Year-end establishment	Total number of SMS employees, per band	Percentage of SMS positions filled, per band	Total number of SMS positions vacant, per band	Percentage of SMS positions vacant, per band
Band A (Level 13)	698	659	94	41	5,9
Band B (Level 14)	207	175	85	32	15,5
Band C (Level 15)	34	28	82	6	17,6
Band D (Level 16)	1	1	100	0	0,0
Total	**940**	**863**	**92**	**79**	**8,4**

*Note: Compared to Table 3.2.2

Table 3.3.2 - SMS post information, as at 30 September 2019

SMS band	Mid-year establishment	Total number of SMS employees, per band	Percentage of SMS positions filled, per band	Total number of SMS positions vacant, per band	Percentage of SMS positions vacant, per band
Band A (Level 13)	698	674	96	26	3,7
Band B (Level 14)	207	182	88	25	12,1
Band C (Level 15)	34	30	88	4	11,8
Band D (Level 16)	1	1	100	0	0,0
Total	**940**	**887**	**94**	**55**	**5,8**

Table 3.3.3 - Advertising and filling of SMS posts, for the period, 1 April 2019 to 31 March 2020

SMS band	Advertising	Filling of positions	
	Number of vacancies, per band advertised, within six months of becoming vacant	Number of vacancies, per band filled, within six months of becoming vacant	Number of vacancies not filled within six months, but filled within 12 months
Band A (Level 13)	33	8	0
Band B (Level 14)	6	0	1
Band C (Level 15)	2	0	0
Band D (Level 16)	0	0	0
Total	**41**	**8**	**1**

Table 3.3.4 - Reasons for not having complied with the filling of funded, vacant SMS posts - advertised within six months and filled within 12 months, after becoming vacant, for the period, 1 April 2019 to 31 March 2020

Reasons for vacancies not advertised within six months
In compliance

Reasons for vacancies not filled within 12 months
In compliance

Table 3.3.5 - Disciplinary steps taken for not complying with the prescribed time frames for filling SMS posts, within 12 months, for the period, 1 April 2019 to 31 March 2020

Reasons for vacancies not advertised within six months
Not applicable

*Note: Positions are filled over a multi-year period, according to predetermined targets of the total establishment, taking into account personnel losses. Vacant positions at a certain level or in terms of a specific business unit are therefore, planned and regarded as funded only upon the date of advertisement.

3.4. JOB EVALUATION

The Public Service Regulations, 2016, as amended, introduced job evaluation as a way of ensuring that work of equal value is remunerated equally. With regard to the SAPS, the Evaluate Job Evaluation System is utilised, to determine the salary levels for positions on national and provincial levels, whereas the Theoretical Human Resource Requirement is utilised, to determine police station capacity. The following table (table 3.4.1) summarises the number of jobs that were evaluated, during the year under review, by utilising the two systems. The table also provides statistics on the number of posts that were upgraded or downgraded.

Table 3.4.1 - Job evaluation by salary band, for the period, 1 April 2019 to 31 March 2020

Salary band	Number of employees	Number of jobs evaluated	Percentage of jobs evaluated by salary band	Number of positions upgraded	Percentage of upgraded positions evaluated	Number of positions downgraded	Percentage of downgraded positions evaluated
Lower skilled (Levels 1-2)	5 274	4	0,1	80	1,5	0	0,0
Skilled (Levels 3-5)	86 653	8	0,0	280	0,3	0	0,0
Highly skilled production (Levels 6-8)	85 829	5	0,0	1 722	2,0	0	0,0
Highly skilled supervision (Levels 9-12)	8 737	125	1,4	0	0,0	0	0,0
Senior management and Executive Authority (Levels 13-16)	865	156	18,0	1	0,1	0	0,0
Total	**187 358**	**298**	**0,2**	**2 083**	**1,1**	**0**	**0,0**

Table 3.4.2 - Profile of employees whose positions were upgraded, due to their posts being upgraded, for the period, 1 April 2019 to 31 March 2020

None

Table 3.4.3 - Employees on salary levels higher than those determined by job evaluation, for the period, 1 April 2019 to 31 March 2020

None

Table 3.4.4 - Profile of employees who have salary levels higher than those determined by job evaluation, for the period, 1 April 2019 to 31 March 2020

None

3.5. EMPLOYMENT CHANGES

This section provides information on changes in employment over the financial year. Turnover rates provide an indication of trends in the employment profile of the Department. The following tables provide a summary of turnover rates, by salary band (table 3.5.1) and by critical occupations (table 3.5.2).

Table 3.5.1 - Annual turnover rate by salary band, for the period, 1 April 2019 to 31 March 2020

Salary band	*Employment at beginning of the period (April 2019)	Recruitments	Terminations	Turnover rate (%)
Lower skilled (Levels 1-2)	5 377	23	126	2,3
Skilled (Levels 3-5)	87 730	195	1 272	1,4
Highly skilled production (Levels 6-8)	88 670	288	3 129	3,5
Highly skilled supervision (Levels 9-12)	9 213	6	482	5,2
Senior management (Levels 13-16)	920	12	67	7,3
Total	**191 910**	**524**	**5 076**	**2,6**

*Note: Employment at the end of the previous period, as reported in the Department's Annual Report for 2018/2019, will differ from employment at the beginning of this period, due to service terminations and appointments recorded, in 2019/2020, with a salary effective date, prior to 31 March 2019.

Table 3.5.2 - Annual turnover rate by critical occupation, for the period, 1 April 2019 to 31 March 2020

Critical occupations	*Employment at beginning of the period (April 2019)	Recruitments	Terminations	Turnover rate (%)
Aircraft pilots and related associate professionals	55	5	9	16,4
Architects, town and traffic planners	4	0	0	0,0
Chemists	1 752	130	37	2,1
Engineers and related professionals	86	0	8	9,3
General legal administration and related professionals	272	2	14	5,1
Natural sciences related	0	0	0	0,0
Police	137 529	244	3 501	2,5
Psychologists and vocational counsellors	115	0	3	2,6
Total	**139 813**	**381**	**3 572**	**2,6**

*Note: Employment at the end of the previous period, as reported in the Department's Annual Report, for 2018/2019, will differ from employment at the beginning of this period, due to service terminations and appointments recorded, in 2019/2020, with a salary effective date, prior to 31 March 2019.

The following table (table 3.5.3) indicates the major reasons why employees left the Department.

Table 3.5.3 - Reasons why employees left the Department, for the period, 1 April 2019 to 31 March 2020

Termination type	Number	Percentage of total resignations	Percentage of total employment	Total	Total employment
Death	847	16,7	0,5	5 076	187 358
Resignation	2 137	42,1	1,1	5 076	187 358
Expiry of contract	20	0,4	0,0	5 076	187 358
Discharged due to ill health	322	6,3	0,2	5 076	187 358
Dismissal-misconduct	456	9,0	0,2	5 076	187 358
Retirement	1 291	25,4	0,7	5 076	187 358
Other	3	0,1	0,0	5 076	187 358
Total	**5 076**	**100**	**2,7**	**5 076**	**187 358**

Table 3.5.4 - Section 35 terminations, for the period, 1 April 2019 to 31 March 2020

Rank	Number of Section 35 terminations awarded
Major General	1
Lieutenant General	1
Total	**2**

*Note: The amount paid by SAPS to the employees amounted to R6,672,043.82. The payment was in respect of leave gratuity, pro-rata service bonus, severance package and notice period.

Table 3.5.5 - Promotions by critical occupation, for the period, 1 April 2019 to 31 March 2020

Critical occupations	Employment at the end of the period	Promotions to another salary level	Salary level promotions, as a percentage of employment
Aircraft pilots and related associate professionals	51	0	0,0
Architects, town and traffic planners	4	0	0,0
Chemists	1 845	2	0,1
Engineers and related professionals	78	4	5,1
General legal administration and related professionals	260	13	5,0
Natural sciences related	0	0	0,0
Police	134 272	18 895	14,1
Psychologists and vocational counsellors	112	2	1,8
Total	**136 622**	**18 916**	**13,8**

Table 3.5.6 - Promotions by salary band, for the period, 1 April 2019 to 31 March 2020

Salary band	Employment at the end of the period	Promotions to another salary level	Salary level promotions, as a percentage of employment
Lower skilled (Levels 1-2)	5 274	55	1,0
Skilled (Levels 3-5)	86 653	15	0,0
Highly skilled production (Levels 6-8)	85 829	19 291	22,5
Highly skilled supervision (Levels 9-12)	8 737	799	9,1
Senior management and Executive Authority (Levels 13-16)	865	9	1,0
Total	**187 358**	**20 169**	**10,8**

Table 3.5.7 - Regulation 45 appointments, for the period, 1 April 2019 to 31 March 2020

Rank	Number of promotions, in terms of Regulation 45
Major General	2
Lieutenant Colonel	1
Captain	2
Warrant Officer	1
Total	**6**

Major General: 2

Designation	Rank from	Number of appointments
Division Operational Response Services Operational Coordination	Brigadier	1
Mthatha Cluster Commander, Eastern Cape Province	Brigadier	1
Total		**2**

Lieutenant Colonel: 1

Designation	Rank from	Number of appointments
Shift Commander: 10111 Midrand, Gauteng Province	Captain	1
Total		**1**

Captain: 2

Designation	Rank from	Number of appointments
Shift Commander: SAPS Westville, KwaZulu-Natal Province	Warrant Officer	1
Crime Information Management Analysis Centre: SAPS Westville, KwaZulu-Natal Province	Warrant Officer	1
Total		**2**

Warrant Officer: 1

Designation	Rank from	Number of appointments
Crime Prevention, Gauteng Province	Sergeant	1
Total		**1**

*Note: During 2019/2020, six employees were appointed/promoted, in accordance with Regulation 45 of the South African Police Service Employment Regulations, 2008.

3.6. EMPLOYMENT EQUITY

The tables in this section are based on the formats prescribed by the Employment Equity Act, 1998 (Act No 55 of 1998).

Table 3.6.1 - Total number of employees (including employees with disabilities) in each of the following occupational categories, as at 31 March 2020

Occupational categories	Male				Female				Total
	African	Coloured	Indian	White	African	Coloured	Indian	White	
Legislators, senior officials and managers	349	47	47	93	238	28	14	49	865
Professionals	3 450	445	253	1 225	3 471	515	274	1 401	11 034
Clerks	6 567	778	244	386	15 584	2 682	653	3 070	29 964
Service and sales workers	76 482	11 232	2 626	8 223	32 185	3 838	473	2 289	137 348
Craft and related trades workers	692	136	45	207	66	0	0	4	1 150
Plant and machine operators and assemblers	165	5	3	1	8	0	0	0	182
Elementary occupations	2 938	432	19	28	3 021	350	11	16	6 815
Total	**90 643**	**13 075**	**3 237**	**10 163**	**54 573**	**7 413**	**1 425**	**6 829**	**187 358**

	Male				Female				Total
	African	Coloured	Indian	White	African	Coloured	Indian	White	
Employees with disabilities	869	230	79	732	530	132	49	454	3 075

Table 3.6.2 - Total number of employees (including employees with disabilities) in each of the following occupational bands, as at 31 March 2020

Occupational band	Male				Female				Total
	African	Coloured	Indian	White	African	Coloured	Indian	White	
Top management	18	1	0	0	11	0	1	0	31
Senior management	331	46	47	93	227	28	13	49	834
Professionally qualified and experienced	3 535	533	347	1 225	1 925	290	152	730	8 737
Skilled technical and academically qualified	44 136	7 080	2 009	8 098	16 220	2 674	752	4 860	85 829
Semi-skilled and discretionary decision making	40 645	5 149	826	723	33 503	4 138	497	1 172	86 653
Unskilled and defined decision making	1 978	266	8	24	2 687	283	10	18	5 274
Total	**90 643**	**13 075**	**3 237**	**10 163**	**54 573**	**7 413**	**1 425**	**6 829**	**187 358**

Table 3.6.3 – Recruitment, for the period, 1 April 2019 to 31 March 2020

Occupational band	Male				Female				Total
	African	Coloured	Indian	White	African	Coloured	Indian	White	
Top management	2	0	0	0	0	0	0	0	2
Senior management	5	0	0	0	5	0	0	0	10
Professionally qualified and experienced	3	0	1	0	1	1	0	0	6
Skilled technical and academically qualified	114	25	13	29	86	4	2	15	288
Semi-skilled and discretionary decision making	98	14	10	4	60	6	2	1	195
Unskilled and defined decision making	15	0	0	0	7	0	1	0	23
Total	**237**	**39**	**24**	**33**	**159**	**11**	**5**	**16**	**524**

Table 3.6.4 - Progression to another salary notch, for the period, 1 April 2019 to 31 March 2020

Occupational band	Male				Female				Total
	African	Coloured	Indian	White	African	Coloured	Indian	White	
Top management	8	0	0	0	3	0	0	0	11
Senior management	222	27	31	58	162	20	8	32	560
Professionally qualified and experienced	1 138	159	86	262	552	91	56	176	2 520
Skilled technical and academically qualified	19 272	2 255	549	1 187	9 492	1 137	324	1 562	35 778
Semi-skilled and discretionary decision making	17 218	2 213	388	422	19 344	2 857	414	1 071	43 927
Unskilled and defined decision making	1 618	205	4	11	2 313	239	7	6	4 403
Total	**39 476**	**4 859**	**1 058**	**1 940**	**31 866**	**4 344**	**809**	**2 847**	**87 199**

Table 3.6.5 – Terminations, for the period, 1 April 2019 to 31 March 2020

Occupational band	Male				Female				Total
	African	Coloured	Indian	White	African	Coloured	Indian	White	
Top management	3	1	0	0	0	1	0	0	5
Senior management	24	9	3	9	11	2	0	4	62
Professionally qualified and experienced	217	27	13	96	81	12	6	30	482
Skilled technical and academically qualified	1 866	207	83	340	309	56	11	257	3 129
Semi-skilled and discretionary decision making	687	91	12	27	324	78	11	42	1 272
Unskilled and defined decision making	39	13	1	4	51	14	2	2	126
Total	**2 836**	**348**	**112**	**476**	**776**	**163**	**30**	**335**	**5 076**

Table 3.6.6 - Disciplinary steps, for the period, 1 April 2019 to 31 March 2020

Disciplinary steps	Male				Female				Total
	African	Coloured	Indian	White	African	Coloured	Indian	White	
Correctional counselling	38	7	0	0	6	2	0	2	55
Demotion	0	0	0	0	0	0	0	0	0
Dismissal	137	14	3	0	16	1	0	2	173
Final written warning	195	31	3	8	20	8	0	1	266
Fine	0	0	0	0	0	0	0	0	0
Suspended dismissal	0	0	0	0	0	0	0	0	0
Case withdrawn	162	40	2	14	18	4	2	1	243
Not guilty	426	69	5	23	63	8	3	6	603
Suspended without payment	140	26	2	4	9	4	1	1	187
Verbal warning	4	0	0	1	0	0	0	0	5
Written warning	103	21	1	5	17	1	0	2	150
Postponement of sanction	0	0	0	0	0	0	0	0	0
Total	**1 205**	**208**	**16**	**55**	**149**	**28**	**6**	**15**	**1 682**

Table 3.6.7 - Skills development, for the period, 1 April 2019 to 31 March 2020

Occupational band	Male				Female				Total
	African	Coloured	Indian	White	African	Coloured	Indian	White	
Top management	4	0	0	0	0	0	0	0	4
Senior management	134	19	20	35	113	7	4	9	341
Professionally qualified and experienced	1 295	141	123	308	772	78	70	209	2 996
Skilled technical and academically qualified	18 147	2 357	662	2 770	7 476	888	188	1 199	33 687
Semi-skilled and discretionary decision making	22 788	2 523	438	386	15 557	1 355	118	180	43 345
Unskilled and defined decision making	5 482	1 167	288	215	4 003	508	15	26	11 704
Non-SAPS members	199	13	5	25	134	20	4	4	404
Total	**48 049**	**6 220**	**1 536**	**3 739**	**28 055**	**2 856**	**399**	**1 627**	**92 481**

3.7. PERFORMANCE

The SAPS Employment Regulations, 2018 requires all SMS employees to conclude performance agreements, by the end of July each year. Due to the National Elections, in 2019, the date for the conclusion of performance agreements was extended, to 31 August 2019. The information provided in the table below, reflects the total number of SMS employees on PERSAP that should have concluded performance agreements, by 31 August 2019.

Table 3.7.1 - Conclusion of performance agreements by SMS employees, as at 31 August 2019

SMS band	Total number of SMS employees, per band	Total number of concluded performance agreements	Concluded performance agreements, as a percentage of total number of SMS employees
Band A (Level 13)	592	575	97,1
Band B (Level 14)	136	124	91,2
Band C (Level 15)	20	16	80,0
Band D (Level 16)	-	-	-
Total	**748**	**715**	**95,6**

Table 3.7.2 - Reasons for not having concluded performance agreements for all SMS employees, as at 31 August 2019

A total of 881 SMS employees were reflected on PERSAP, as at 31 August 2019.

Of the 881 SMS employees reflected above, 33 SMS employees could not reasonably be expected to conclude performance agreements by this date. These exclusions were due to suspension, illness, being deployed, etc. Some SMS employees had also resigned or retired, but their records were still reflected on PERSAP. A further 99 SMS employees were being impacted by the restructuring process within the SAPS and therefore, could not sign performance agreements by this date. A total of 748 SMS employees should have concluded performance agreements, by 31 August 2019.

In addition to the above, the Minister of Public Service and Administration approved an extension on the due date, for the signing of performance agreements by Heads of Departments, to November 2019. Therefore, the National Commissioner of the SAPS was not required to conclude a performance agreement, by 31 August 2019.

A total of 33 SMS employees (17 on Band A, 12 on Band B and four on Band C), had not complied with the concluding of performance agreements, by 31 August 2019. After an initial investigation into the non-compliance, it was found that four SMS employees on Band A and four SMS employees on Band B had justifiable reasons for the non-compliance (e.g. due to restructuring and/or illness of supervisors, a delay occurred in concluding the agreements).

Table 3.7.3 - Disciplinary steps taken against SMS employees for not having concluded performance agreements, by 31 August 2019

Two SMS employees received corrective counselling. The taking of disciplinary action against the remaining 23 SMS employees was deemed to be inappropriate by relevant line managers.

3.8. PERFORMANCE REWARDS

To encourage good performance, the Department has granted the following performance rewards, during the year under review. The information is presented, in terms of race, gender, disability, salary bands and critical occupations.

Table 3.8.1 - Performance rewards by race, gender and disability, for the period, 1 April 2019 to 31 March 2020

None

Table 3.8.2 - Performance rewards by salary band for employees below senior management service, for the period, 1 April 2019 to 31 March 2020

None

Table 3.8.3 - Performance rewards by critical occupation, for the period, 1 April 2019 to 31 March 2020

None

Table 3.8.4 - Performance-related rewards (cash bonus), by salary band for senior management service, for the period, 1 April 2019 to 31 March 2020

None

3.9. FOREIGN WORKERS

The tables below summarises the employment of foreign workers in the Department, in terms of salary band and major occupation.

Table 3.9.1 - Foreign workers, by salary band, for the period, 1 April 2019 to 31 March 2020

Salary band	1 April 2019		31 March 2020		Change	
	Number	Percentage of total	Number	Percentage of total	Number	Percentage Change
Lower skilled (Levels 1-2)	1	10,0	1	10,0	0	0,0
Skilled (Levels 3-5)	2	20,0	2	20,0	0	0,0
Highly skilled production (Levels 6-8)	6	60,0	6	60,0	0	0,0
Highly skilled supervision (Levels 9-12)	1	10,0	1	10,0	0	0,0
Total	**10**	**100**	**10**	**100**	**0**	**0,0**

Table 3.9.2 - Foreign workers, by major occupation, for the period, 1 April 2019 to 31 March 2020

Major occupation	1 April 2019		31 March 2020		Change	
	Number	Percentage of total	Number	Percentage of total	Number	Percentage Change
Administrative office workers	2	20,0	2	20,0	0	0,0
Craft and related trade workers	1	10,0	1	10,0	0	0,0
Drivers, operators and ship's crew	0	0,0	0	0,0	0	0,0
Elementary occupations	1	10,0	1	10,0	0	0,0
National security and custodian personnel	4	40,0	4	40,0	0	0,0
Professionals and managers	2	20,0	2	20,0	0	0,0
Service workers	0	0,0	0	0,0	0	0,0
Technical associated professionals	0	0,0	0	0,0	0	0,0
Total	**10**	**100**	**10**	**100**	**0**	**0,0**

3.10. LEAVE UTILISATION

The Public Service Commission identified the need for careful monitoring of sick leave in the public service. The following tables provide an indication of the use of sick leave (table 3.10.1) and incapacity leave (table 3.10.2). In both cases, the estimated cost of the leave is also indicated.

Table 3.10.1 - Sick leave, for the period, 1 January 2019 to 31 December 2019

Salary band	Total days	Percentage days with medical certification	Number of employees using sick leave	Percentage of total employees using sick leave	Average days, per employee	Estimated cost (R'000)	Total number of employees using sick leave	Total number of days with medical certification
Lower skilled (Levels 1-2)	51 500	94,3	4 639	2,9	11	28,867	160 857	48 559
Skilled (Levels 3-5)	763 432	93,8	77 420	48,1	10	748,006	160 857	716 403
Highly skilled production (Levels 6-8)	750 682	94,3	71 672	44,6	10	1,193,230	160 857	708 259
Highly skilled supervision (Levels 9-12)	66 288	94,4	6 526	4,1	10	185,974	160 857	62 604
Senior management (Levels 13-16)	5 835	96,3	600	0,4	10	25,968	160 857	5 617
Total	**1 637 737**	**94,1**	**160 857**	**100**	**10**	**2,182,045**	**160 857**	**1 541 442**

Table 3.10.2 - Incapacity leave (temporary and permanent), for the period, 1 January 2019 to 31 December 2019

Salary band	Total days	Percentage days with medical certification	Number of employees using incapacity leave	Percentage of total employees using incapacity leave	Average days, per employee	Estimated cost (R'000)	Total number of days with medical certification	Total number of employees using incapacity leave
Lower skilled (Levels 1-2)	6 040	99,7	121	3,2	50	3,480	6 021	3 826
Skilled (Levels 3-5)	58 126	100	1 118	29,2	52	56,293	58 126	3 826
Highly skilled production (Levels 6-8)	162 606	100	2 273	59,4	72	282,196	162 558	3 826
Highly skilled supervision (Levels 9-12)	22 607	100	285	7,4	79	64,292	22 599	3 826
Senior management (Levels 13-16)	2 164	100	29	0,8	75	9,665	2 164	3 826
Total	**251 543**	**100**	**3 826**	**100**	**66**	**415,926**	**251 468**	**3 826**

Table 3.10.3 - Temporary incapacity leave, for the period, 1 January 2019 to 31 December 2019

Type of incapacity leave considered	Health Risk Manager		Number of disputes	How were disputes resolved
	Acceptance of advice	Deviation from advice		
Short-term incapacity	2 886	186	354	Representations and internal grievance procedures.
Long-term incapacity	594	99	140	Representations and internal grievance procedures.

Table 3.10.4 - Ill-health retirement, for the period, 1 January 2019 to 31 December 2019

Incapacity leave approved	Health Risk Manager		Number of disputes	How were disputes resolved
	Acceptance of advice	Deviation from advice		
Number of cases referred	2 204	1 740	1 740	Representations and internal grievance procedures.

Types of illness
Psychological cases - 797
Medical cases - 1 407

Table 3.10.5 - Expenditure incurred for temporary and ill-health retirement (Health Risk Manager), for the period, 1 January 2019 to 31 December 2019

Total expenditure incurred (R'000)	Average time frame for payments made to service provider
28,672	47

Table 3.10.6 - Annual leave, for the period, 1 January 2019 to 31 December 2019

Salary band	Total days taken	Average days, per employee	Number of employees who took leave
Lower skilled (Levels 1-2)	122 548	23	5 385
Skilled (Levels 3-5)	1 982 887	22	90 356
Highly skilled production (Levels 6-8)	2 316 352	26	88 158
Highly skilled supervision (Levels 9-12)	242 089	28	8 714
Senior management (Levels 13-16)	24 275	27	897
Total	**4 688 151**	**24**	**193 510**

Table 3.10.7 - Capped leave, for the period, 1 January 2019 to 31 December 2019

Salary band	Total days of capped leave taken	Average number of days taken, per employee	Number of employees who took capped leave	Total number of capped leave (June 2000) available at 31 December 2019
Lower skilled (Levels 1-2)	0	0	0	1 433
Skilled (Levels 3-5)	677	5	128	84 365
Highly skilled production (Levels 6-8)	14 961	7	2 162	2 248 345
Highly skilled supervision (Levels 9-12)	6 295	11	596	547 316
Senior management (Levels 13-16)	899	15	60	65 104
Total	**22 832**	**8**	**2 946**	**2 946 563**

3.11. COMMUNICABLE AND NON-COMMUNICABLE DISEASES AND HEALTH PROMOTION PROGRAMMES

Table 3.11.1 - Steps taken to reduce the risk of occupational exposure

Categories of employees identified as being at high risk of contracting HIV/AIDS and related diseases	Key steps taken to reduce the risk
Employees who come into contact with body fluids (Biology labs and animals)	Personal Protective Equipment (PPE), hand washing, vaccination, and screening for HIV, Health Risk Assessments (HRA), HIV/Acquired Immunodeficiency Syndrome (AIDS) and TB awareness programmes.
Employees working closely with the community (crime prevention and POP)	PPE, hand washing, vaccination, testing for TB, and screening for HIV, HRA, HIV/AIDS and TB awareness programmes.
Employees working closely with the community (Visible Policing and Community Service Centres)	PPE, hand washing, vaccination, testing for TB, and screening for HIV, HRA, HIV/AIDS and TB awareness programmes.
K9 Units	Vaccination programme: Rabies, Hepatitis A and B, Tetanus, hygiene, screening for HIV, HRA, HIV/AIDS and TB awareness programmes.
Mounted Units	Vaccination programme: Rabies, Hepatitis A and B, Tetanus, hygiene, screening for HIV, HRA, HIV/AIDS and TB awareness programmes.
Honey suckers	Vaccination programme: Hepatitis A and B booster, screening for HIV, HRA, HIV/AIDS and TB awareness programmes.
Divers	Vaccination programme: Typhus, Tetanus, Hepatitis A and B booster, screening for HIV, HRA, HIV/AIDS and TB awareness programmes.
Forensic laboratories	Vaccination programme: Typhus, Tetanus, Hepatitis A and B booster, screening for HIV, HRA, HIV/AIDS and TB awareness programmes.

Table 3.11.2 - Details of health promotion and HIV/AIDS programmes

Question	Yes	No	Details, if yes
Has the Department designated a member of the SMS to implement the provisions contained in Part VI E of Chapter 1 of the Public Service Regulations, 2001? If so, provide his/her name and position.	X		Lieutenant General L Ntshiea Divisional Commissioner Human Resource Management, SAPS Private Bag X4 Pretoria, 0001 Tel no: 012 393 1504 Fax no: 012 393 2454
Does the Department have a dedicated unit or has it designated specific staff members to promote the health and well-being of the employees? If so, indicate the number of employees who are involved in this task and the annual budget that is available for this purpose.	X		The SAPS's EHW Component is made up of four Sections, namely; Social Work Services, Psychological Services, Spiritual Services and Quality of Work Life. These Sections employ a range of professionals, namely; social workers, psychologists, psychometrics, chaplains occupational health practitioners, occupational therapists and registered nurses. These professionals are mainly responsible for providing holistic interventions that are psychological, social, physical and spiritual in nature, to all SAPS employees, as well as their immediate family members. At present, just under 600 professionals are nationally employed at EHW and they render care and support services to SAPS employees. The services offered are proactive and reactive in nature. The Quality of Work Life Section comprises HIV/AIDS and Disability Management, which are budgeted programmes. At present, an annual budget allocation of R4 million is allocated to HIV/AIDS management programmes and R3 million to the Disability Management Programme.
Has the Department introduced an Employee Assistance or Health Promotion Programme for the employees? If so, indicate the key elements/services of the programme.	X		The EHW Component delivers services, of which the key elements are wellness support programmes, such as stress and trauma management, suicide prevention, spiritually based programmes, life skills, money wise, colleagues' sensitivity, HIV/AIDS awareness programmes, disability sensitisation programmes, substance dependency, relationship-marriage, children and colleagues, sexual harassment and domestic violence. The wellness support programmes are currently being expanded, to include health promotion programmes, through which employees are voluntarily tested for HIV, TB and other chronic conditions, such as high blood pressure, diabetes and cholesterol, as well as body mass index. The development of occupational health programmes, which caters for medical surveillance, biological monitoring and safety of buildings and employees.

Question	Yes	No	Details, if yes
Has the Department established (a) committee(s), as contemplated in Part VI E.5 (e) of Chapter 1 of the Public Service Regulations, 2001? If so, please provide the names of the members of the committee and the stakeholder(s) that they represent.	X		The Human Resource Management Division is the custodian of the National Wellness Strategic Forum, which is a monitoring vehicle of all aspects related to the health and wellness of SAPS employees, including their immediate family members. The forum consists of representatives from various Divisions within the SAPS, such as Human Resource Development, Legal Services, Supply Chain Management, as well as organised labour unions (Police and Prisons Civil Rights Union and South African Police Union). The Deputy National Commissioner: Corporate Services is the Chairperson of the wellness forum. There are also key external role players, such as the Department of Public Works, the DPSA, the Department of Health, POLMED and GEMS. The SAPS is in the process of appointing the Health Risk Manager to oversee occupational incidents. A similar structure has been implemented, in all provinces. Both the national and provincial wellness forums are convened quarterly and strategic reports are shared amongst all role players, regarding the health and wellness of employees.
Has the Department reviewed the employment policies and practices of the Department, to ensure that these do not unfairly discriminate against employees based on their HIV status? If so, list the employment policies/practices so reviewed.	X		The SAPS's EHW policies and practices have been aligned with the Government's plan, under the auspices of the DPSA. The DPSA's EHW Strategic Framework provides for the development of four policies, as well as related operational plans, namely; HIV/AIDS and TB management, Health and Productivity Management, Safety, Health, Environment, Quality and Risk Management and Wellness Management. These policies are measured by the Presidency, through the Department: Planning, Monitoring and Evaluation. This exercise is aimed at ensuring that EHW complies with the Management Performance Assessment Tool requirements pertaining to the above four policies.
Has the Department introduced measures to protect HIV-positive employees or those perceived to be HIV-positive from discrimination? If so, list the key elements of these measures.	X		The revised HIV/AIDS, Sexually Transmitted Infection and TB Policy was approved, in August 2017. Since HIV/AIDS is a non-notifiable disease, the SAPS structures follow applicable acts, such as the Employment Equity Act, the Basic Conditions of Employment Act and the Labour Relations Act, which prohibit discrimination against employees, based on their HIV/TB status.

Question	Yes	No	Details, if yes
Does the Department encourage its employees to undergo voluntary counselling and testing? If so, list the results that you have achieved.	X		An increased number of SAPS employees partake throughout the HCT Programme. Mobile Wellness on Wheels services is available in all the provinces. The EHW Component and other service providers, such as POLMED, GEMS and related healthcare providers forged partnerships in marketing the health week campaigns in the SAPS. Furthermore, the Health Risk Manager also ensures that rigorous HIV counselling and testing sessions are conducted continuously, covering at more testing sites. Employees are encouraged to optimally use the testing services, which have been made available for them, to know their general health status, manage it accordingly and to register on the relevant Disease Management Programmes of the medical aid schemes, when necessary. Furthermore, the SAPS provides care and support to all employees in need, through various wellness support groups. The Department is also embarking on a continuous drive of providing advocacy workshops to senior managers, through the Peer Education Programme, with the purpose of setting positive examples and pledging care and support to those infected and affected by various health problems, including HIV/AIDS and TB.
Has the Department developed measures/ indicators to monitor and evaluate the impact of its health promotion programme? If so, list these measures/indicators.	X		The Department has since been establishing a health profile, which determines the state of wellness of its employees. This is derived from all the data generated, through the health and wellness assessments, conducted in partnership with the EHW Component, POLMED, GEMS and the contracted Health Risk Manager. Various stakeholder committees are responsible for the collection and analysis of data, to establish trends and an organisational profile. Furthermore, there are also organisational indicators, e.g. suicide rates and health trends, regarding referrals and medical boards, which are monitored constantly.

3.12. LABOUR RELATIONS

Table 3.12.1 - Collective agreements, for the period, 1 April 2019 to 31 March 2020

Subject matter	Date
Agreement 1 of 2019: Translation of 10111 Call Centre Operators Posts Utilised with South African Police Service	16 May 2019
Agreement 2 of 2019: Levy Agreement	17 December 2019

The following table summarises the outcome of disciplinary hearings conducted within the Department, during the year under review.

Table 3.12.2 - Misconduct and disciplinary hearings concluded, for the period, 1 April 2019 to 31 March 2020

Outcome of disciplinary hearings	Number	Percentage of total
Correctional counselling	55	3,3
Demotion	0	0,0
Dismissal	173	10,3
Final written warning	266	15,8
Fine	0	0,0
Suspended action	0	0,0
Suspended dismissal	0	0,0
Case withdrawn	243	14,4
Not guilty	603	35,9
Suspended without payment	187	11,1
Verbal warning	5	0,3
Written warning	150	8,9
Total	**1 682**	**100**

Table 3.12.3 - Types of misconduct addressed at disciplinary hearings, for the period, 1 April 2019 to 31 March 2020

Regulation 5(3) of 2016	Nature	Number of employees found guilty	Percentage of total
Regulation 5(3)(a)	Failed to comply with or contravened an act, regulation or legal obligation.	195	17,1
Regulation 5(3)(b)	Performed any act or failed to perform any act with the intention to cause harm to or prejudice the interest of the Service.	48	4,2
Regulation 5(3)(c)	Wilfully or negligently mismanaged the finances of the State.	3	0,3
Regulation 5(3)(d)	Without permission possessed, used or appropriated property of the State or property under the control of the State.	34	3,0
Regulation 5(3)(e)	Intentionally or negligently damaged and or caused loss of State property.	54	4,7
Regulation 5(3)(f)	Endangered the lives of self or others by disregarding safety rules or regulations.	9	0,8
Regulation 5(3)(g)	Prejudiced the administration of a department.	38	3,3
Regulation 5(3)(h)	Misused his or her position in the Service to promote the interest of a political party.	2	0,2
Regulation 5(3)(i)	Accepted any compensation, in cash or otherwise, from a member of the public or another employee for performing his or her duties without written approval from the employer.	23	2,0
Regulation 5(3)(j)	Failed to carry out a lawful order or routine instruction.	65	5,7
Regulation 5(3)(k)	Absent from work without reason or permission.	118	10,4
Regulation 5(3)(l)	Failed without sufficient cause, to report for duty at the stipulated time at his or her station, place of work or any other place stipulated by a commander or his or her superior.	7	0,6
Regulation 5(3)(m)	Committed an act of sexual harassment.	2	0,2
Regulation 5(3)(n)	Unfairly discriminated against others on the basis of race, gender, disability, sexuality or other grounds prohibited by the Constitution.	1	0,1
Regulation 5(3)(o)	Without written approval of the employer, performed work for compensation in a private capacity.	8	0,7
Regulation 5(3)(p)	Without authorisation, slept on duty.	0	0,0
Regulation 5(3)(q)	Accepted or demanded, in respect of the discharge, or the failure to discharge a function, any commission, fee rewards or favour.	0	0,0
Regulation 5(3)(r)	Reported on duty, whilst under the influence of liquor.	34	3,0
Regulation 5(3)(s)	Pretended to be ill, infirmed, indisposed, injured or suffering from pain or obtained or attempted to obtain exemption from duty, by advancing a false or exaggerated excuse on the grounds of illness, infirmity, indisposition, injury or pain.	2	0,2
Regulation 5(3)(t)	Conducted himself or herself in an improper, disgraceful and unacceptable manner.	172	15,1
Regulation 5(3)(u)	Contravened any prescribed Code of Conduct of the Service.	98	8,6
Regulation 5(3)(v)	Incited other employees to unlawfully or conducted in conflict with accepted procedure.	7	0,6
Regulation 5(3)(w)	Intimidated or victimised other employees.	3	0,3
Regulation 5(3)(x)	Assaulted or threatened to assault any other employees.	12	1,1
Regulation 5(3)(y)	Prevented another employee from belonging to any trade union.	1	0,1
Regulation 5(3)(z)	Operated any money lending scheme for employees during working hours or from premises of the Service.	4	0,4

Regulation 5(3) of 2016	Nature	Number of employees found guilty	Percentage of total
Regulation 5(3)(aa)	Gave a false statement or evidence in the execution of his or her duties.	5	0,4
Regulation 5(3)(bb)	Falsified records or any other documentation.	5	0,4
Regulation 5(3)(cc)	Participated in any unlawful labour or industrial action.	0	0,0
Regulation 5(3)(dd)	Convicted of any common law statutory offence.	8	0,7
Regulation 5(3)(ee)	Without proper authority, released a prisoner.	25	2,2
Regulation 5(3)(ff)	Used unlawful force against a prisoner or other person in custody or otherwise ill-treats such a person.	3	0,3
Regulation 5(3)(gg)	Neglected his or her duty or performance.	28	2,5
Regulation 5(3)(hh)	Left his or her post without permission or reason.	7	0,6
Regulation 5(3)(ii)	Failed to submit his or her financial disclosure, as may be required by the relevant prescripts and/or failed to disclose the required financial interests or provided false information in such disclosure.	1	0,1
Regulation 5(3)(jj)	Failed to report an act of misconduct committed in his or her presence by his or her commander or fellow employee.	0	0,0
Regulation 5(4)	**Nature**	**Number of employees found guilty**	**Percentage of total**
Regulation 5(4)(a)	Aiding an escapee	7	0,6
Regulation 5(4)(b)	Arson	0	0,0
Regulation 5(4)(c)	Robbery	1	0,1
Regulation 5(4)(d)	Assault GBH	2	0,2
Regulation 5(4)(e)	Bribery	1	0,1
Regulation 5(4)(f)	Corruption	20	1,8
Regulation 5(4)(g)	Dealing in drugs	2	0,2
Regulation 5(4)(h)	Defeating the course of justice	7	0,6
Regulation 5(4)(i)	Extortion	2	0,2
Regulation 5(4)(j)	Forgery and uttering	2	0,2
Regulation 5(4)(k)	Fraud	7	0,6
Regulation 5(4)(l)	Hijacking	0	0,0
Regulation 5(4)(m)	Housebreaking and theft	0	0,0
Regulation 5(4)(n)	Kidnapping	1	0,1
Regulation 5(4)(o)	Malicious damage to property of a serious nature	1	0,1
Regulation 5(4)(p)	Murder	6	0,5
Regulation 5(4)(q)	Rape	3	0,3
Regulation 5(4)(r)	Terrorism	0	0,0
Regulation 5(4)(s)	Theft	10	0,9
Regulation 5(4)(t)	Treason	0	0,0
Regulation 5(4)(u)	Any attemp, conspiracy or incitement to commit any of the abovementioned offences	4	0,4
Regulation 5(4)(v)	Sexual harassment	1	0,1
Regulation 5(4)(w)	Unlawful possession of the employer's property	2	0,2
Regulation 5(4)(x)	Any act of misconduct which detrimentally affected the image of the Service or brought the Service into disrepute or which involved an element of dishonesty	34	3,0
Regulation 5(4)(y)	Any contravention of the Firearms Control Act, 2000	4	0,4
Total		**1 139**	**100**

Table 3.12.4 - Grievances lodged, for the period, 1 April 2019 to 31 March 2020

Number of grievances addressed	Number	Percentage of total
Not resolved	146	13,8
Resolved	915	86,2
Total	**1 061**	**100**

Table 3.12.5 - Disputes lodged with Councils, for the period, 1 April 2019 to 31 March 2020

Number of disputes lodged	Number	Percentage of total
Safety and Security Sectoral Bargaining Council	731	93,0
PSCBC	28	3,6
Commission for Conciliation, Mediation and Arbitration	15	1,9
Private arbitrations	12	1,5
Total	**786**	**100**

Table 3.12.6 - Strike actions, for the period, 1 April 2019 to 31 March 2020

Strike actions	Total
Total number of person working days lost	44
Total cost (R'000) of working days lost	R0,00
Amount (R'000) recovered as a result of no work no pay	R0,00

*Note: 41 Of the members were either on leave or rest days. Three of the members were dismissed. Of those dismissed one member was on family responsibility leave.

Table 3.12.7 - Precautionary suspensions, for the period, 1 April 2019 to 31 March 2020

Precautionary suspensions	Totals/amount
Number of employees suspended	114
Number of employees whose suspension exceeded 60 days	35
Average number of days suspended	53 days
Cost (R'000) of suspensions	R5 772 296,41

*Note: Precautionary suspensions are Regulation 10 suspensions and exclude the following suspensions:

Section 43 - Imprisonments/detention

Regulation 15 (5) - Fail to appear at disciplinary hearing

In terms of Regulation 10 of the SAPS Discipline Regulations, 2016, suspensions are regarded to have exceeded the prescribed time frame only when they are beyond 90 calendar days. In terms of these provisions, suspensions are automatically terminated, on the 90th calendar day. This implies that after 90 calendar days, employees will automatically resume their duties. If an employee is not at work, on the 1st day succeeding the 90 calendar days, the absence is no more as a result of a suspension.

3.13. SKILLS DEVELOPMENT

This section highlights the efforts of the Department, with regard to skills development.

Table 3.13.1 - Employees attending training, for the period, 1 April 2019 to 31 March 2020

Occupational group	Gender	Course	Learnership	Learning programme	Qualification	Refreshers course	Skills programme	Workshop	Total
Top management	Female	0	0	0	0	0	0	0	0
	Male	0	0	0	0	0	0	4	4
Senior management	Female	66	0	0	0	0	0	67	133
	Male	91	0	0	1	0	0	116	208
Professionally qualified and experienced	Female	420	0	105	2	1	5	596	1 129
	Male	636	0	175	4	8	6	1 038	1 867
Skilled technical and academically qualified	Female	4 862	0	227	8	29	410	4 215	9 751
	Male	10 110	11	535	22	73	831	12 354	23 936
Semi-skilled and discretionary decision making	Female	9 505	2	253	6	23	456	6 965	17 210
	Male	13 262	7	456	20	38	839	11 513	26 135
Unskilled and defined decision making	Female	1 511	0	4	1 554	0	10	1 473	4 552
	Male	1 582	0	0	3 417	0	13	2 140	7 152
Non-SAPS members	Female	130	0	0	0	0	0	32	162
	Male	175	0	0	0	0	0	67	242
Total		**42 350**	**20**	**1 755**	**5 034**	**172**	**2 570**	**40 580**	**92 481**

Table 3.13.2 - Employees found competent in training, for the period, 1 April 2019 to 31 March 2020

Occupational group	Gender	Course	Learnership	Learning programme	Qualification	Refreshers course	Skills programme	Workshop	Total
Top management	Female	0	0	0	0	0	0	0	0
	Male	0	0	0	0	0	0	4	4
Senior management	Female	61	0	0	0	0	0	67	128
	Male	85	0	0	1	0	0	116	202
Professionally qualified and experienced	Female	416	0	105	2	1	5	596	1 125
	Male	627	0	174	4	8	6	1 038	1 857
Skilled technical and academically qualified	Female	4 801	0	225	8	29	403	4 213	9 679
	Male	9 985	11	529	21	63	819	12 327	23 755
Semi-skilled and discretionary decision making	Female	9 416	2	250	6	22	443	6 941	17 080
	Male	13 069	7	454	14	34	809	11 494	25 881
Unskilled and defined decision making	Female	1 494	0	4	1 554	0	10	1 472	4 534
	Male	1 568	0	0	3 416	0	13	2 136	7 133
Non-SAPS members	Female	122	0	0	0	0	0	32	154
	Male	166	0	0	0	0	0	67	233
Total		**41 810**	**20**	**1 741**	**5 026**	**157**	**2 508**	**40 503**	**91 765**

3.14. INJURY ON DUTY

The following table provides basic information on injury on duty.

Table 3.14.1 - Injury on duty, for the period, 1 April 2019 to 31 March 2020

Nature of injury on duty	Number	Percentage of total
Required medical attention with no temporary disablement	135	2,9
Required medical attention with temporary disablement	4 316	93,3
Permanent disablement	106	2,3
Fatal	67	1,4
Total	**4 624**	**100**

3.15. UTILISATION OF CONSULTANTS

See page 403 which refers to goods and services, of which "consultants, contractors and special services" is a sub-classification.

PART E

FINANCIAL INFORMATION

REPORT OF THE AUDITOR-GENERAL TO PARLIAMENT ON VOTE NO. 23: DEPARTMENT OF POLICE

REPORT ON THE AUDIT OF THE FINANCIAL STATEMENTS

QUALIFIED OPINION

1. I have audited the financial statements of the Department of Police set out on pages 360 to 436, which comprise the appropriation statement, statement of financial position as at 31 March 2020, statement of financial performance, statement of changes in net assets and cash flow statement for the year then ended, as well as the notes to the financial statements, including a summary of significant accounting policies.

2. In my opinion, except for the effects of the matter described in the basis for qualified opinion section of this auditor's report, the financial statements present fairly, in all material respects, the financial position of the Department of Police as at 31 March 2020, its financial performance and cash flows for the year then ended in accordance with the Modified Cash Standard and the requirements of the Public Finance Management Act of South Africa, 1999 (Act No. 1 of 1999) (PFMA).

BASIS FOR QUALIFIED OPINION

Immovable tangible capital assets

3. I was unable to obtain sufficient appropriate audit evidence for the other fixed structures included in immovable tangible capital assets, due to lack of adequate information in support of the values of these assets. In addition, as described in note 32 to the financial statements, a restatement was made to rectify a prior year misstatement on these assets, but the restatement could not be substantiated by sufficient and appropriate supporting audit evidence. I was unable to confirm the restatement and current year amount by alternative means. Consequently, I was unable to determine whether any adjustment was necessary to the other fixed structures within the immovable tangible capital assets figure stated at R3,213 billion (2019: R3,213 billion), in note 32 to the financial statements.

CONTEXT FOR THE OPINION

4. I conducted my audit in accordance with the International Standards on Auditing (ISAs). My responsibilities under those standards are further described in the auditor-general's responsibilities for the audit of the financial statements section of this auditor's report.

5. I am independent of the department in accordance with sections 290 and 291 of the Code of ethics for professional accountants and parts 1 and 3 of the International Code of Ethics for Professional Accountants (including International Independence Standards) of the International Ethics Standards Board for Accountants (IESBA codes) as well as the ethical requirements that are relevant to my audit in South Africa. I have fulfilled my other ethical responsibilities in accordance with these requirements and the IESBA codes.

6. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my qualified opinion.

EMPHASIS OF MATTER

7. I draw attention to the matters below. My opinion is not modified in respect of these matters.

Significant uncertainties

8. As disclosed in note 17 to the financial statements, the department is a defendant in a number of lawsuits. The ultimate outcome of these matters cannot be determined and no provision for any liability that may result was made in the financial statements.

Restatement of corresponding figures

9. As disclosed in notes 33 to the financial statements, corresponding figures for 31 March 2019 were restated as a result of an error in the financial statements of the department at, and for the year ended, 31 March 2020.

Section 42: immovable assets

10. As disclosed in note 32.6 to the financial statements, 1 250 assets to the amount of R1,849 billion were due to be transferred from the department to Department of Public Works and Infrastructure, subject to the finalisation of the requirements of section 42 of the PFMA, which was still in progress at year-end.

OTHER MATTER

11. I draw attention to the matter below. My opinion is not modified in respect of this matter.

Unaudited supplementary schedule

12. The supplementary information set out on pages 437 to 446 does not form part of the financial statements and is presented as additional information. I have not audited these schedules and, accordingly, I do not express an opinion on them.

RESPONSIBILITIES OF THE ACCOUNTING OFFICER FOR THE FINANCIAL STATEMENTS

13. The accounting officer is responsible for the preparation and fair presentation of the financial statements in accordance with the modified cash standard and the requirements of the PFMA, and for such internal control as the accounting officer determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

14. In preparing the financial statements, the accounting officer is responsible for assessing the department's ability to continue as a going concern, disclosing, as applicable, matters relating to going concern and using the going concern basis of accounting unless the appropriate governance structure either intends to liquidate the department or to cease operations, or has no realistic alternative but to do so.

AUDITOR-GENERAL'S RESPONSIBILITIES FOR THE AUDIT OF THE FINANCIAL STATEMENTS

15. My objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance but is not a guarantee that an audit conducted in accordance with the ISAs will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

16. A further description of my responsibilities for the audit of the financial statements is included in the annexure to this auditor's report.

REPORT ON THE AUDIT OF THE ANNUAL PERFORMANCE REPORT

INTRODUCTION AND SCOPE

17. In accordance with the Public Audit Act of South Africa, 2004 (Act No. 25 of 2004) (PAA) and the general notice issued in terms thereof, I have a responsibility to report on the usefulness and reliability of the reported performance information against predetermined objectives for selected programmes presented in the annual performance report. I performed procedures to identify material findings but not to gather evidence to express assurance.

18. My procedures address the usefulness and reliability of the reported performance information, which must be based on the approved performance planning documents of the department. I have not evaluated the completeness and appropriateness of the performance indicators included in the planning documents. My procedures do not examine whether the actions taken by the department enabled service delivery. My procedures also do not extend to any disclosures or assertions relating to planned performance strategies and information in respect of future periods that may be included as part of the reported performance information. Accordingly, my findings do not extend to these matters.

19. I evaluated the usefulness and reliability of the reported performance information in accordance with the criteria developed from the performance management and reporting framework, as defined in the general notice, for the following selected programme presented in the annual performance report of the department for the year ended 31 March 2020:

Programme	Pages in the annual performance report
Programme 2 – Visible Policing	111-127

20. I performed procedures to determine whether the reported performance information was properly presented and whether performance was consistent with the approved performance planning documents. I performed further procedures to determine whether the indicators and related targets were measurable and relevant, and assessed the reliability of the reported performance information to determine whether it was valid, accurate and complete.

21. The material findings in respect of the usefulness and reliability of the selected programmes are as follows:

PROGRAMME 2 – VISIBLE POLICING

VARIOUS PERFORMANCE INDICATORS

22. The achievement in the annual performance report did not agree to the supporting evidence provided for the indicators listed below. The supporting evidence provided indicated that the achievement of these indicators was as follows:

Performance indicator description	Reported achievement
Number of reported contact crime	622 206
Number of reported contact crimes at the identified 30 high crime weight station	94 230
Number of stolen or lost and illegal firearms recovered	4 204
Number of identifiable stolen or lost SAPS firearms recovered	459

VARIOUS PERFORMANCE INDICATORS: AVERAGE NATIONAL REACTION TIME INDICATORS

23. I was unable to obtain sufficient appropriate audit evidence for the reported achievement of the indicators below. This was due to the reported performance not being supported by accurate underlying records that could be provided for audit purposes. I was unable to confirm the reported achievement by alternative means. Consequently, I was unable to determine whether any further adjustments were required to the reported achievements.

Performance indicator description	Reported achievement
Average national reaction time to Alpha complaints	17:24 minutes
Average national reaction time to Bravo complaints	21:13 minutes
Average national reaction time to Charlie complaints	19:22 minutes

OTHER MATTER

24. I draw attention to the matter below.

Achievement of planned targets

25. Refer to the annual performance report on pages 111 to 127 for information on the achievement of planned targets for the year and explanations provided for the under- or overachievement of a significant number of targets. This information should be considered in the context of the material findings on the usefulness and reliability of the reported performance information in paragraphs 22 and 23 of this report.

REPORT ON THE AUDIT OF COMPLIANCE WITH LEGISLATION

INTRODUCTION AND SCOPE

26. In accordance with the PAA and the general notice issued in terms thereof, I have a responsibility to report material findings on the department's compliance with specific matters in key legislation. I performed procedures to identify findings but not to gather evidence to express assurance.

27. The material findings on compliance with specific matters in key legislation are as follows:

Annual financial statements, performance report and annual report

28. The financial statements submitted for auditing were not supported by full and proper records as required by section 40(1)(a) of the PFMA.

29. The supporting records could not be provided subsequently, which resulted in the financial statements receiving a qualified opinion.

Procurement and contract management

30. Some of the goods and services of a transaction value above R500 000 were procured without inviting competitive bids and deviations were approved by the accounting officer despite it being practical to invite competitive bids, as required by treasury regulation 16A6.1 and 16A6.4. Similar instances of non-compliance were also reported in the prior year.

Expenditure management

31. Effective and appropriate steps were not taken to prevent irregular expenditure amounting to R385 million, as disclosed in note 23 to the financial statements, as required by section 38(1)(c)(ii) of the PFMA and treasury regulation 9.1.1. The majority of the irregular expenditure was caused by non-compliance to the requirements of the Preferential Procurement Policy Framework Act, 2000 (Act no.5 of 2000).

Consequence management

32. In some instances, disciplinary steps were not taken against some of the officials who had incurred and permitted irregular expenditure, as required by section 38(1)(h)(iii) of the PFMA. No investigations had been conducted and/or finalised by management in some of the cases, while some of these cases had been carried forward from prior years

OTHER INFORMATION

33. The accounting officer is responsible for the other information. The other information comprises the information included in the annual report. The other information does not include the financial statements, the auditor's report and those selected programmes presented in the annual performance report that have been specifically reported in this auditor's report.

34. My opinion on the financial statements and findings on the reported performance information and compliance with legislation do not cover the other information and I do not express an audit opinion or any form of assurance conclusion thereon.

35. In connection with my audit, my responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial statements and the selected programmes presented in the annual performance report, or my knowledge obtained in the audit, or otherwise appears to be materially misstated.

36. If based on the work I have performed, I conclude that there is a material misstatement in this other information, I am required to report that fact. I have nothing to report in this regard.

INTERNAL CONTROL DEFICIENCIES

37. I considered internal control relevant to my audit of the financial statements, reported performance information and compliance with applicable legislation; however, my objective was not to express any form of assurance on it. The matters reported below are limited to the significant internal control deficiencies that resulted in the basis for the qualified opinion, the findings on the annual performance report and the findings on compliance with legislation included in this report.

38. Management implemented certain key actions in line with the audit action plan to address the prior year audit finding on network assets. However, the challenges on the availability of reliable source documents, again resulted in significant findings on the valuation of the network assets.

39. Action plans to address significant findings on the reporting of predetermined objectives and the prevention on irregular expenditure, were not effectively monitored and implemented during the year.

40. Management did not implement adequate review procedures to ensure that information reported in the annual performance report was adequately supported with appropriate evidence.

41. Management did not adequately implement review and monitoring controls to prevent non-compliance with applicable laws and regulations relating to supply chain management.

OTHER REPORTS

42. I draw attention to the following engagements conducted by various parties which had, or could have, an impact on the matters reported in the department's financial statements, reported performance information, compliance with applicable legislation and other related matters. These reports did not form part of my opinion on the financial statements or my findings on the reported performance information or compliance with legislation. Investigations.

INVESTIGATIONS

43. The department had instituted a number of investigations relating to various instances of transgressions of supply chain management legislation in previous years. Some of these investigations were still ongoing at the date of this report and many had been under investigation for a number of years with no indicated completion date or recommendations for implementation with regard to disciplinary and/or criminal proceedings against transgressors. Some investigations from prior years were concluded in the current year and responsible officials were identified.

Auditor-General

Pretoria

14 November 2020

AUDITOR-GENERAL
SOUTH AFRICA

Auditing to build public confidence

ANNEXURE – AUDITOR-GENERAL'S RESPONSIBILITY FOR THE AUDIT

1. As part of an audit in accordance with the ISAs, I exercise professional judgement and maintain professional scepticism throughout my audit of the financial statements and the procedures performed on reported performance information for selected programmes and on the department's compliance with respect to the selected subject matters.

FINANCIAL STATEMENTS

2. In addition to my responsibility for the audit of the financial statements as described in this auditor's report, I also:

» identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error; design and perform audit procedures responsive to those risks; and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations or the override of internal control

» obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the department's internal control

» evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the accounting officer

» conclude on the appropriateness of the accounting officer's use of the going concern basis of accounting in the preparation of the financial statements. I also conclude, based on the audit evidence obtained, whether a material uncertainty exists relating to events or conditions that may cast significant doubt on the ability of the Department of Police to continue as a going concern. If I conclude that a material uncertainty exists, I am required to draw attention in my auditor's report to the related disclosures in the financial statements about the material uncertainty or, if such disclosures are inadequate, to modify my opinion on the financial statements. My conclusions are based on the information available to me at the date of this auditor's report. However, future events or conditions may cause a department to cease operating as a going concern

» evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and determine whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation

COMMUNICATION WITH THOSE CHARGED WITH GOVERNANCE

3. I communicate with the accounting officer regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.

4. I also confirm to the accounting officer that I have complied with relevant ethical requirements regarding independence, and communicate all relationships and other matters that may reasonably be thought to have a bearing on my independence and, where applicable, actions taken to eliminate threats or safeguards applied.

DEPARTMENT OF POLICE
VOTE 23
APPROPRIATION STATEMENT
FOR THE YEAR ENDED 31 MARCH 2020

Appropriation per Programme

	2019/20							2018/19	
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual Expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual Expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Programme									
1. Administration	20,442,930	0	(291,381)	20,151,549	19,922,542	229,007	98.9%	18,723,241	18,600,634
2. Visible Policing	49,912,528	0	(118,799)	49,793,729	49,748,382	45,347	99.9%	47,118,958	47,117,278
3. Detective Services	19,230,182	0	116,927	19,347,109	18,867,419	479,690	97.5%	18,959,298	17,828,166
4. Crime Intelligence	4,092,713	0	63,061	4,155,774	4,155,774	0	100.0%	3,882,235	3,882,235
5. Protection and Security Services	3,148,908	0	230,192	3,379,100	3,379,100	0	100.0%	3,000,429	3,000,429
Total	**96,827,261**	**0**	**0**	**96,827,261**	**96,073,217**	**754,044**	**99.2%**	**91,684,161**	**90,428,742**
Reconciliation with Statement of Financial Performance									
Add: Departmental receipts				601,703				563,149	
Aid assistance								0	
Actual amounts per Statement of Financial Performance (Total Revenue)				97,428,964				92,247,310	
Add: Aid assistance					0				0
Actual amounts per Statement of Financial Performance (Total Expenditure)					96,073,217				90,428,742

DEPARTMENT OF POLICE
VOTE 23
APPROPRIATION STATEMENT
FOR THE YEAR ENDED 31 MARCH 2020

Appropriation per Economic classification

	2019/20							2018/19	
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual Expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual Expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Current payments	**92,251,926**	**(32,306)**	**278,996**	**92,498,616**	**92,232,130**	**266,486**	**99.7%**	**87,143,585**	**86,118,696**
Compensation of employees	**76,357,717**	**0**	**0**	**76,357,717**	**76,357,670**	**47**	**100.0%**	**71,282,392**	**71,282,392**
Salaries and wages	60,214,269	(64,781)	(160,696)	59,988,792	59,988,745	47	100.0%	56,073,287	56,073,287
Social contributions	16,143,448	64,781	160,696	16,368,925	16,368,925	0	100.0%	15,209,105	15,209,105
Goods and services	**15,894,209**	**(32,306)**	**278,996**	**16,140,899**	**15,874,460**	**266,439**	**98.3%**	**15,861,193**	**14,836,304**
Administrative fees	66,344	0	12,278	78,622	78,622	0	100.0%	63,730	63,730
Advertising	26,422	0	(10,202)	16,220	16,220	0	100.0%	22,551	22,551
Minor assets	221,289	0	(57,365)	163,924	159,703	4,221	97.4%	260,940	218,394
Audit costs: External	36,884	0	8,233	45,117	45,117	0	100.0%	39,776	39,776
Bursaries: Employees	9,538	0	(45)	9,493	9,493	0	100.0%	11,403	11,403
Catering: Departmental activities	40,855	0	(16,533)	24,322	24,322	0	100.0%	33,854	33,854
Communication (G&S)	508,190	0	(63,704)	444,486	444,486	0	100.0%	465,146	465,146
Computer services	2,522,459	0	302,142	2,824,601	2,782,611	41,990	98.5%	2,146,729	1,733,551
Consultants: Business and advisory services	21,086	0	(6,469)	14,617	14,617	0	100.0%	20,802	19,823
Infrastructure and planning services	0	0	0	0	0	0	0.0%	50	50
Laboratory services	4,398	0	(167)	4,231	327	3,904	7.7%	10,891	4,147
Legal services	363,245	0	19,877	383,122	383,122	0	100.0%	344,470	344,470
Contractors	469,790	(32,306)	(128,602)	308,882	308,882	0	100.0%	424,679	378,888
Agency and support / outsourced services	410,600	0	54,036	464,636	464,636	0	100.0%	442,819	426,183
Entertainment	2,287	0	(1,661)	626	626	0	100.0%	644	644

DEPARTMENT OF POLICE
VOTE 23
APPROPRIATION STATEMENT
FOR THE YEAR ENDED 31 MARCH 2020

Appropriation per Economic classification									
	2019/20							2018/19	
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual Expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual Expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Fleet services (including government motor transport)	4,190,954	0	34,168	4,225,122	4,225,122	0	100.0%	4,549,569	4,549,569
Inventory: Clothing material and accessories	286,995	0	(123,188)	163,807	163,807	0	100.0%	218,142	218,142
Inventory: Other supplies	87,956	0	(19,770)	68,186	68,186	0	100.0%	34,292	33,782
Consumable supplies	429,430	0	202,380	631,810	454,316	177,494	71.9%	639,692	361,121
Consumable: Stationery, printing and office supplies	411,935	0	(69,065)	342,870	315,163	27,707	91.9%	400,614	331,434
Operating leases	3,193,494	0	(100,620)	3,092,874	3,092,874	0	100.0%	2,958,660	2,943,316
Property payments	1,275,682	0	91,459	1,367,141	1,367,141	0	100.0%	1,254,693	1,254,693
Transport provided: Departmental activity	2,208	0	(1,060)	1,148	1,148	0	100.0%	1,350	1,350
Travel and subsistence	1,075,668	0	216,591	1,292,259	1,292,247	12	100.0%	1,251,047	1,177,763
Training and development	66,245	0	(36,314)	29,931	18,820	11,111	62.9%	61,046	25,048
Operating payments	137,200	0	(11,271)	125,929	125,929	0	100.0%	171,484	146,004
Venues and facilities	33,055	0	(16,132)	16,923	16,923	0	100.0%	32,120	31,472
Transfers and subsidies	**1,207,942**	**0**	**160,253**	**1,368,195**	**1,368,195**	**0**	**100.0%**	**1,399,766**	**1,399,766**
Provinces and municipalities	**50,415**	**0**	**2,362**	**52,777**	**52,777**	**0**	**100.0%**	**49,466**	**49,466**
Municipalities	50,415	0	2,362	52,777	52,777	0	100.0%	49,466	49,466
Departmental agencies and accounts	**191,366**	**0**	**4,536**	**195,902**	**195,902**	**0**	**100.0%**	**176,847**	**176,847**
Departmental agencies (non-business entities)	191,366	0	4,536	195,902	195,902	0	100.0%	176,847	176,847

DEPARTMENT OF POLICE
VOTE 23
APPROPRIATION STATEMENT
FOR THE YEAR ENDED 31 MARCH 2020

Appropriation per Economic classification									
	2019/20							2018/19	
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual Expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual Expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Non-profit institutions	**1,000**	**0**	**(1,000)**	**0**	**0**	**0**	**0.0%**	**1,000**	**1,000**
Households	**965,161**	**0**	**154,355**	**1,119,516**	**1,119,516**	**0**	**100.0%**	**1,172,453**	**1,172,453**
Social benefits	508,002	(1,152)	(22,708)	484,142	484,142	0	100.0%	601,081	601,081
Other transfers to households	457,159	1,152	177,063	635,374	635,374	0	100.0%	571,372	571,372
Payment for capital assets	**3,367,393**	**0**	**(439,249)**	**2,928,144**	**2,440,586**	**487,558**	**83.3%**	**3,125,253**	**2,894,723**
Buildings and other fixed structures	**870,657**	**0**	**(320,783)**	**549,874**	**513,293**	**36,581**	**93.3%**	**686,300**	**686,300**
Buildings	870,657	0	(320,783)	549,874	513,293	36,581	93.3%	686,300	686,300
Machinery and equipment	**2,489,736**	**0**	**(111,466)**	**2,378,270**	**1,927,293**	**450,977**	**81.0%**	**2,431,927**	**2,201,397**
Transport Equipment	1,709,381	(17,951)	(95,073)	1,596,357	1,596,357	0	100.0%	1,874,593	1,862,175
Other machinery and equipment	780,355	17,951	(16,393)	781,913	330,936	450,977	42.3%	557,334	339,222
Biological assets	**7,000**	**0**	**(7,000)**	**0**	**0**	**0**	**0.0%**	**7,026**	**7,026**
Payment for financial assets	**0**	**32,306**	**0**	**32,306**	**32,306**	**0**	**100.0%**	**15,557**	**15,557**
Total	**96,827,261**	**0**	**0**	**96,827,261**	**96,073,217**	**754,044**	**99.2%**	**91,684,161**	**90,428,742**

DEPARTMENT OF POLICE
VOTE 23
APPROPRIATION STATEMENT
FOR THE YEAR ENDED 31 MARCH 2020

Detail per programme 1 - Administration

Sub Programme	2019/20							2018/19	
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual Expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual Expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
1.1 MINISTRY	65,129	0	(12,068)	53,061	53,061	0	100.0%	50,193	50,193
1.2 MANAGEMENT	86,468	0	(18,673)	67,795	67,795	0	100.0%	69,265	69,265
1.3 CORPORATE SERVICES	20,148,282	0	(260,640)	19,887,642	19,658,635	229,007	98.8%	18,472,564	18,349,957
1.4 CIVILIAN SECRETARIAT	143,051	0	0	143,051	143,051	0	100.0%	131,219	131,219
Total for sub programmes	**20,442,930**	**0**	**(291,381)**	**20,151,549**	**19,922,542**	**229,007**	**98.9%**	**18,723,241**	**18,600,634**

Economic classification	2019/20							2018/19	
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual Expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual Expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Current payments	**18,438,285**	**(32,306)**	**(153,028)**	**18,252,951**	**18,252,892**	**59**	**100.0%**	**16,899,891**	**16,790,758**
Compensation of employees	**13,764,739**	**0**	**(173,842)**	**13,590,897**	**13,590,850**	**47**	**100.0%**	**12,908,477**	**12,908,477**
Salaries and wages	11,244,399	(64,781)	(172,863)	11,006,755	11,006,708	47	100.0%	10,515,270	10,515,270
Social contributions	2,520,340	64,781	(979)	2,584,142	2,584,142	0	100.0%	2,393,207	2,393,207
Goods and services	**4,673,546**	**(32,306)**	**20,814**	**4,662,054**	**4,662,042**	**12**	**100.0%**	**3,991,414**	**3,882,281**
Administrative fees	20,055	0	(413)	19,642	19,642	0	100.0%	16,651	16,651
Advertising	17,327	0	(4,237)	13,090	13,090	0	100.0%	18,219	18,219
Minor assets	37,363	0	3,113	40,476	40,476	0	100.0%	105,750	105,750
Audit costs: External	36,884	0	8,233	45,117	45,117	0	100.0%	39,747	39,747
Bursaries: Employees	9,538	0	(45)	9,493	9,493	0	100.0%	11,403	11,403
Catering: Departmental activities	21,130	0	(15,412)	5,718	5,718	0	100.0%	10,410	10,410
Communication (G&S)	108,094	0	(13,686)	94,408	94,408	0	100.0%	93,049	93,049

DEPARTMENT OF POLICE
VOTE 23
APPROPRIATION STATEMENT
FOR THE YEAR ENDED 31 MARCH 2020

Economic classification	2019/20							2018/19	
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual Expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual Expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Computer services	2,462,150	0	107,611	2,569,761	2,569,761	0	100.0%	1,794,830	1,685,697
Consultants: Business and advisory services	13,359	0	(1,966)	11,393	11,393	0	100.0%	16,877	16,877
Infrastructure and planning services	0	0	0	0	0	0	0.0%	50	50
Legal services	362,133	0	20,989	383,122	383,122	0	100.0%	344,370	344,370
Contractors	183,611	(32,306)	(8,649)	142,656	142,656	0	100.0%	172,835	172,835
Agency and support / outsourced services	160,186	0	51,035	211,221	211,221	0	100.0%	213,513	213,513
Entertainment	1,420	0	(1,146)	274	274	0	100.0%	309	309
Fleet services (including government motor transport)	310,953	0	12,420	323,373	323,373	0	100.0%	344,043	344,043
Inventory: Clothing material and accessories	286,984	0	(123,177)	163,807	163,807	0	100.0%	218,142	218,142
Inventory: Other supplies	82,482	0	(15,362)	67,120	67,120	0	100.0%	30,010	30,010
Consumable supplies	68,631	0	67,408	136,039	136,039	0	100.0%	89,476	89,476
Consumable: Stationery, printing and office supplies	97,946	0	(22,263)	75,683	75,683	0	100.0%	67,807	67,807
Operating leases	38,223	0	16,226	54,449	54,449	0	100.0%	55,795	55,795
Property payments	10,321	0	(2,057)	8,264	8,264	0	100.0%	11,757	11,757
Transport provided: Departmental activity	165	0	(163)	2	2	0	100.0%	14	14
Travel and subsistence	251,914	0	(20,625)	231,289	231,277	12	100.0%	269,756	269,756
Training and development	34,178	0	(20,154)	14,024	14,024	0	100.0%	15,994	15,994
Operating payments	38,459	0	(4,306)	34,153	34,153	0	100.0%	36,810	36,810
Venues and facilities	20,040	0	(12,560)	7,480	7,480	0	100.0%	13,797	13,797
Transfers and subsidies	**776,327**	**0**	**189,950**	**966,277**	**966,277**	**0**	**100.0%**	**912,129**	**912,129**
Provinces and municipalities	**8,211**	**0**	**(603)**	**7,608**	**7,608**	**0**	**100.0%**	**7,731**	**7,731**
Municipalities	8,211	0	(603)	7,608	7,608	0	100.0%	7,731	7,731

DEPARTMENT OF POLICE
VOTE 23
APPROPRIATION STATEMENT
FOR THE YEAR ENDED 31 MARCH 2020

Economic classification	2019/20							2018/19	
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual Expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual Expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Departmental agencies and accounts	**191,366**	**0**	**4,536**	**195,902**	**195,902**	**0**	**100.0%**	**176,847**	**176,847**
Departmental agencies (non-business entities)	191,366	0	4,536	195,902	195,902	0	100.0%	176,847	176,847
Households	**576,750**	**0**	**186,017**	**762,767**	**762,767**	**0**	**100.0%**	**727,551**	**727,551**
Social benefits	179,550	0	2,608	182,158	182,158	0	100.0%	205,264	205,264
Other transfers to households	397,200	0	183,409	580,609	580,609	0	100.0%	522,287	522,287
Payment for capital assets	**1,228,318**	**0**	**(328,303)**	**900,015**	**671,067**	**228,948**	**74.6%**	**895,664**	**882,190**
Buildings and other fixed structures	**870,657**	**(520)**	**(320,783)**	**549,354**	**512,773**	**36,581**	**93.3%**	**685,042**	**685,042**
Buildings	870,657	(520)	(320,783)	549,354	512,773	36,581	93.3%	685,042	685,042
Machinery and equipment	**350,661**	**520**	**(520)**	**350,661**	**158,294**	**192,367**	**45.1%**	**203,596**	**190,122**
Transport equipment	102,139	(14,067)	(2,394)	85,678	85,678	0	100.0%	69,908	69,908
Other machinery and equipment	248,522	14,587	1,874	264,983	72,616	192,367	27.4%	133,688	120,214
Biological assets	**7,000**	**0**	**(7,000)**	**0**	**0**	**0**	**0.0%**	**7,026**	**7,026**
Payment for financial assets	**0**	**32,306**	**0**	**32,306**	**32,306**	**0**	**100.0%**	**15,557**	**15,557**
Total	**20,442,930**	**0**	**(291,381)**	**20,151,549**	**19,922,542**	**229,007**	**98.9%**	**18,723,241**	**18,600,634**

DEPARTMENT OF POLICE
VOTE 23
APPROPRIATION STATEMENT
FOR THE YEAR ENDED 31 MARCH 2020

1.1 Ministry

Economic classification	2019/20							2018/19	
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual Expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual Expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Current payments	**60,779**	**1,066**	**(11,335)**	**50,510**	**50,510**	**0**	**100.0%**	**46,291**	**46,291**
Compensation of employees	27,992	0	(1,487)	26,505	26,505	0	100.0%	23,226	23,226
Goods and services	32,787	1,066	(9,848)	24,005	24,005	0	100.0%	23,065	23,065
Transfers and subsidies	**16**	**0**	**1,141**	**1,157**	**1,157**	**0**	**100.0%**	**1,793**	**1,793**
Provinces and municipalities	16	(12)	0	4	4	0	100.0%	8	8
Households	0	12	1,441	1,153	1,153	0	100.0%	1,785	1,785
Payment for capital assets	**4,334**	**(1,066)**	**(1,874)**	**1,394**	**1,394**	**0**	**100.0%**	**2,109**	**2,109**
Machinery and equipment	4,334	(1,066)	(1,874)	1,394	1,394	0	100.0%	2,109	2,109
Total	**65,129**	**0**	**(12,068)**	**53,061**	**53,061**	**0**	**100.0%**	**50,193**	**50,193**

1.2 Management

Economic classification	2019/20							2018/19	
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual Expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual Expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Current payments	**82,946**	**1,159**	**(18,223)**	**65,882**	**65,882**	**0**	**100.0%**	**64,886**	**64,886**
Compensation of employees	54,432	0	(7,556)	46,876	46,876	0	100.0%	43,504	43,504
Goods and services	28,514	1,159	(10,667)	19,006	19,006	0	100.0%	21,382	21,382
Transfers and subsidies	**29**	**0**	**70**	**99**	**99**	**0**	**100.0%**	**28**	**28**
Provinces and municipalities	29	(1)	0	28	28	0	100.0%	28	28
Households	0	1	70	71	71	0	100.0%	0	0
Payment for capital assets	**3,493**	**(1,159)**	**(520)**	**1,814**	**1,814**	**0**	**100.0%**	**4,351**	**4,351**
Machinery and equipment	3,493	(1,159)	(520)	1,814	1,814	0	100.0%	4,351	4,351
Total	**86,468**	**0**	**(18,673)**	**67,795**	**67,795**	**0**	**100.0%**	**69,265**	**69,265**

DEPARTMENT OF POLICE
VOTE 23
APPROPRIATION STATEMENT
FOR THE YEAR ENDED 31 MARCH 2020

1.3 Corporate Services

Economic classification	2019/20							2018/19	
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual Expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual Expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Current payments	**18,294,560**	**(34,531)**	**(123,470)**	**18,136,559**	**18,136,500**	**59**	**100.0%**	**16,788,714**	**16,679,581**
Compensation of employees	13,682,315	0	(164,799)	13,517,516	13,517,469	47	100.0%	12,841,747	12,841,747
Goods and services	4,612,245	(34,531)	41,329	4,619,043	4,619,031	12	100.0%	3,946,967	3,837,834
Transfers and subsidies	**633,231**	**0**	**188,739**	**821,970**	**821,970**	**0**	**100.0%**	**779,089**	**779,089**
Provinces and municipalities	8,166	13	(603)	7,576	7,576	0	100.0%	7,695	7,695
Departmental agencies and accounts	48,315	0	4,536	52,851	52,851	0	100.0%	45,628	45,628
Households	576,750	(13)	184,806	761,543	761,543	0	100.0%	725,766	725,766
Payment for capital assets	**1,220,491**	**2,225**	**(325,909)**	**896,807**	**667,859**	**228,948**	**74.5%**	**889,204**	**875,730**
Buildings and other fixed structures	870,657	(520)	(320,783)	549,354	512,773	36,581	93.3%	685,042	685,042
Machinery and equipment	342,834	2,745	1,874	347,453	155,086	192,367	44.6%	197,136	183,662
Biological assets	7,000	0	(7,000)	0	0	0	0.0%	7,026	7,026
Payment for financial assets	**0**	**32,306**	**0**	**32,306**	**32,306**	**0**	**100.0%**	**15,557**	**15,557**
Total	**20,148,282**	**0**	**(260,640)**	**19,887,642**	**19,658,635**	**229,007**	**98.8%**	**18,472,564**	**18,349,957**

1.4 Civilian Secretariat

Economic classification	2019/20							2018/19	
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual Expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual Expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Transfers and subsidies	**143,051**	**0**	**0**	**143,051**	**143,051**	**0**	**100.0%**	**131,219**	**131,219**
Departmental agencies and accounts	143,051	0	0	143,051	143,051	0	100.0%	131,219	131,219
Total	**143,051**	**0**	**0**	**143,051**	**143,051**	**0**	**100.0%**	**131,219**	**131,219**

DEPARTMENT OF POLICE
VOTE 23
APPROPRIATION STATEMENT
FOR THE YEAR ENDED 31 MARCH 2020

Detail per programme 2 - Visible Policing

Sub programme	2019/20							2018/19	
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual Expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual Expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
2.1 CRIME PREVENTION	39,048,027	0	(213,907)	38,834,120	38,788,773	45,347	99.9%	36,473,478	36,473,478
2.2 BORDER SECURITY	2,183,021	0	(27,389)	2,155,632	2,155,632	0	100.0%	2,021,487	2,021,487
2.3 SPECIALISED INTERVENTIONS	4,374,716	0	167,549	4,542,265	4,542,265	0	100.0%	4,639,810	4,638,130
2.4 FACILITIES	4,306,764	0	(45,052)	4,261,712	4,261,712	0	100.0%	3,984,183	3,984,183
Total for sub programmes	**49,912,528**	**0**	**(118,799)**	**49,793,729**	**49,748,382**	**45,347**	**99.9%**	**47,118,958**	**47,117,278**

Economic classification	2019/20							2018/19	
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual Expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual Expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Current payments	**48,308,610**	**0**	**(109,552)**	**48,199,058**	**48,199,058**	**0**	**100.0%**	**45,169,509**	**45,169,509**
Compensation of employees	**39,804,834**	**0**	**(84,914)**	**39,719,920**	**39,719,920**	**0**	**100.0%**	**36,920,618**	**36,920,618**
Salaries and wages	30,735,462	0	(116,725)	30,618,737	30,618,737	0	100.0%	28,454,511	28,454,511
Social contributions	9,069,372	0	31,811	9,101,183	9,101,183	0	100.0%	8,466,107	8,466,107
Goods and services	**8,503,776**	**0**	**(24,638)**	**8,479,138**	**8,479,138**	**0**	**100.0%**	**8,248,891**	**8,248,891**
Administrative fees	24,359	0	8,168	32,527	32,527	0	100.0%	25,698	25,698
Advertising	3,235	0	(2,365)	870	870	0	100.0%	1,371	1,371
Minor assets	162,914	0	(62,284)	100,630	100,630	0	100.0%	97,287	97,287
Audit costs: External	0	0	0	0	0	0	0.0%	29	29
Catering: Departmental activities	14,335	0	(92)	14,243	14,243	0	100.0%	18,119	18,119
Communication (G&S)	266,414	0	(24,152)	242,262	242,262	0	100.0%	252,903	252,903
Computer services	2,777	0	(985)	1,792	1,792	0	100.0%	1,942	1,942

DEPARTMENT OF POLICE
VOTE 23
APPROPRIATION STATEMENT
FOR THE YEAR ENDED 31 MARCH 2020

Economic classification	2019/20							2018/19	
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual Expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual Expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Consultants: Business and advisory services	1,645	0	(1,265)	380	380	0	100.0%	338	338
Laboratory services	0	0	28	28	28	0	100.0%	53	53
Legal services	0	0	0	0	0	0	0.0%	100	100
Contractors	253,511	0	(121,671)	131,840	131,840	0	100.0%	160,261	160,261
Agency and support / outsourced services	242,099	0	(9,787)	232,312	232,312	0	100.0%	207,077	207,077
Entertainment	366	0	(205)	161	161	0	100.0%	150	150
Fleet services (including government motor transport)	2,392,811	0	(6,787)	2,386,024	2,386,024	0	100.0%	2,565,515	2,565,515
Inventory: Clothing material and accessories	11	0	(11)	0	0	0	0.0%	0	0
Inventory: Other supplies	4,779	0	(3,725)	1,054	1,054	0	100.0%	3,707	3,707
Consumable supplies	118,352	0	38,442	156,794	156,794	0	100.0%	109,250	109,250
Consumable: Stationery, printing and office supplies	211,696	0	(51,505)	160,191	160,191	0	100.0%	179,784	179,784
Operating leases	3,095,338	0	(118,264)	2,977,074	2,977,074	0	100.0%	2,824,778	2,824,778
Property payments	1,256,642	0	97,670	1,354,312	1,354,312	0	100.0%	1,235,804	1,235,804
Transport provided: Departmental activity	1,529	0	(540)	989	989	0	100.0%	1,200	1,200
Travel and subsistence	409,223	0	243,534	652,757	652,757	0	100.0%	525,585	525,585
Training and development	1,662	0	(1,560)	102	102	0	100.0%	200	200
Operating payments	30,604	0	(5,253)	25,351	25,351	0	100.0%	25,199	25,199
Venues and facilities	9,474	0	(2,029)	7,445	7,445	0	100.0%	12,541	12,541

DEPARTMENT OF POLICE
VOTE 23
APPROPRIATION STATEMENT
FOR THE YEAR ENDED 31 MARCH 2020

Economic classification	2019/20							2018/19	
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual Expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual Expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Transfers and subsidies	**282,763**	**0**	**(29,309)**	**253,454**	**253,454**	**0**	**100.0%**	**309,491**	**309,491**
Provinces and municipalities	**28,688**	**0**	**3,234**	**31,922**	**31,922**	**0**	**100.0%**	**28,930**	**28,930**
Municipalities	28,688	0	3,234	31,922	31,922	0	100.0%	28,930	28,930
Non-profit institutions	**1,000**	**0**	**(1,000)**	**0**	**0**	**0**	**0.0%**	**1,000**	**1,000**
Households	**253,075**	**0**	**(31,543)**	**221,532**	**221,532**	**0**	**100.0%**	**279,561**	**279,561**
Social benefits	193,116	0	(24,924)	168,192	168,192	0	100.0%	232,077	232,077
Other transfers to households	59,959	0	(6,619)	53,340	53,340	0	100.0%	47,484	47,484
Payment for capital assets	**1,321,155**	**0**	**20,062**	**1,341,217**	**1,295,870**	**45,347**	**96.6%**	**1,639,958**	**1,638,278**
Buildings and other fixed structures	**0**	**237**	**0**	**237**	**237**	**0**	**100.0%**	**1,258**	**1,258**
Buildings	0	237	0	237	237	0	100.0%	1,258	1,258
Machinery and equipment	**1,321,155**	**(237)**	**20,062**	**1,340,980**	**1,295,633**	**45,347**	**96.6%**	**1,638,700**	**1,637,020**
Transport equipment	1,127,741	0	11,209	1,138,950	1,138,950	0	100.0%	1,516,547	1,514,867
Other machinery and equipment	193,414	(237)	8,853	202,030	156,683	45,347	77.6%	122,153	122,153
Total	**49,912,528**	**0**	**(118,799)**	**49,793,729**	**49,748,382**	**45,347**	**99.9%**	**47,118,958**	**47,117,278**

DEPARTMENT OF POLICE
VOTE 23
APPROPRIATION STATEMENT
FOR THE YEAR ENDED 31 MARCH 2020

2.1 Crime Prevention

Economic classification	2019/20							2018/19	
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual Expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual Expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Current payments	**37,571,262**	**0**	**(236,805)**	**37,334,457**	**37,334,457**	**0**	**100.0%**	**35,013,663**	**35,013,663**
Compensation of employees	34,163,888	0	(296,319)	33,867,569	33,867,569	0	100.0%	31,544,405	31,544,405
Goods and services	3,407,374	0	59,514	3,466,888	3,466,888	0	100.0%	3,469,258	3,469,258
Transfers and subsidies	**259,789**	**0**	**(38,143)**	**221,646**	**221,646**	**0**	**100.0%**	**280,427**	**280,427**
Provinces and municipalities	20,414	112	353	20,879	20,879	0	100.0%	20,204	20,204
Non profit institutions	1,000	0	(1,000)	0	0	0	0.0%	1,000	1,000
Households	238,375	(112)	(37,496)	200,767	200,767	0	100.0%	259,223	259,223
Payment for capital assets	**1,216,976**	**0**	**61,041**	**1,278,017**	**1,232,670**	**45,347**	**96.5%**	**1,179,388**	**1,179,388**
Buildings and other fixed structures	0	237	0	237	237	0	100.0%	1,258	1,258
Machinery and equipment	1,216,976	(237)	61,041	1,277,780	1,232,433	45,347	96.5%	1,178,130	1,178,130
Total	**39,048,027**	**0**	**(213,907)**	**38,834,120**	**38,788,773**	**45,347**	**99.9%**	**36,473,478**	**36,473,478**

DEPARTMENT OF POLICE
VOTE 23
APPROPRIATION STATEMENT
FOR THE YEAR ENDED 31 MARCH 2020

2.2 Border Security

Economic classification	2019/20							2018/19	
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual Expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual Expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Current payments	**2,151,724**	**0**	**(12,776)**	**2,138,948**	**2,138,948**	**0**	**100.0%**	**1,990,048**	**1,990,048**
Compensation of employees	2,047,999	0	(1,121)	2,046,878	2,046,878	0	100.0%	1,898,193	1,898,193
Goods and services	103,725	0	(11,655)	92,070	92,070	0	100.0%	91,855	91,855
Transfers and subsidies	**4,933**	**0**	**646**	**5,579**	**5,579**	**0**	**100.0%**	**7,048**	**7,048**
Provinces and municipalities	864	(112)	0	752	752	0	100.0%	701	701
Households	4,069	112	646	4,827	4,827	0	100.0%	6,347	6,347
Payment for capital assets	**26,364**	**0**	**(15,259)**	**11,105**	**11,105**	**0**	**100.0%**	**24,391**	**24,391**
Machinery and equipment	26,364	0	(15,259)	11,105	11,105	0	100.0%	24,391	24,391
Total	**2,183,021**	**0**	**(27,389)**	**2,155,632**	**2,155,632**	**0**	**100.0%**	**2,021,487**	**2,021,487**

2.3 Specialised Interventions

Economic classification	2019/20							2018/19	
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual Expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual Expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Current payments	**4,278,860**	**0**	**185,081**	**4,463,941**	**4,463,941**	**0**	**100.0%**	**4,181,615**	**4,181,615**
Compensation of employees	3,592,947	0	212,526	3,805,473	3,805,473	0	100.0%	3,478,020	3,478,020
Goods and services	685,913	0	(27,445)	658,468	658,468	0	100.0%	703,595	703,595
Transfers and subsidies	**18,041**	**0**	**8,188**	**26,229**	**26,229**	**0**	**100.0%**	**22,016**	**22,016**
Provinces and municipalities	7,410	0	2,881	10,291	10,291	0	100.0%	8,025	8,025
Households	10,631	0	5,307	15,938	15,938	0	100.0%	13,991	13,991
Payment for capital assets	**77,815**	**0**	**(25,720)**	**52,095**	**52,095**	**0**	**100.0%**	**436,179**	**434,499**
Machinery and equipment	77,815	0	(25,720)	52,095	52,095	0	100.0%	436,179	434,499
Total	**4,374,716**	**0**	**167,549**	**4,542,265**	**4,542,265**	**0**	**100.0%**	**4,639,810**	**4,638,130**

DEPARTMENT OF POLICE
VOTE 23
APPROPRIATION STATEMENT
FOR THE YEAR ENDED 31 MARCH 2020

2.4 Facilities

Economic classification	2019/20							2018/19	
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual Expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual Expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Current payments	**4,306,764**	**0**	**(45,052)**	**4,261,712**	**4,261,712**	**0**	**100.0%**	**3,984,183**	**3,984,183**
Goods and services	4,306,764	0	(45,052)	4,261,712	4,261,712	0	100.0%	3,984,183	3,984,183
Total	**4,306,764**	**0**	**(45,052)**	**4,261,712**	**4,261,712**	**0**	**100.0%**	**3,984,183**	**3,984,183**

Detail per programme 3 - Detective Services

Sub programme	2019/20							2018/19	
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual Expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual Expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
3.1 CRIME INVESTIGATIONS	13,476,333	0	(197,049)	13,279,284	13,279,284	0	100.0%	12,771,817	12,655,818
3.2 CRIMINAL RECORD CENTRE	2,596,245	0	(46,313)	2,549,932	2,446,261	103,671	95.9%	2,629,719	2,365,938
3.3 FORENSIC SCIENCE LABORATORY	1,424,607	0	316,159	1,740,766	1,364,747	376,019	78.4%	1,930,286	1,178,934
3.4 SPECIALISED INVESTIGATIONS	1,732,997	0	44,130	1,777,127	1,777,127	0	100.0%	1,627,476	1,627,476
Total for sub programmes	**19,230,182**	**0**	**116,927**	**19,347,109**	**18,867,419**	**479,690**	**97.5%**	**18,959,298**	**17,828,166**

DEPARTMENT OF POLICE
VOTE 23
APPROPRIATION STATEMENT
FOR THE YEAR ENDED 31 MARCH 2020

Economic classification	2019/20							2018/19	
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual Expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual Expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Current payments	**18,420,893**	**0**	**267,102**	**18,687,995**	**18,421,568**	**266,427**	**98.6%**	**18,332,486**	**17,416,730**
Compensation of employees	**16,230,928**	**0**	**(23,744)**	**16,207,184**	**16,207,184**	**0**	**100.0%**	**15,231,686**	**15,231,686**
Salaries and wages	12,795,579	0	(10,593)	12,784,986	12,784,986	0	100.0%	11,999,248	11,999,248
Social contributions	3,435,349	0	(13,151)	3,422,198	3,422,198	0	100.0%	3,232,438	3,232,438
Goods and services	**2,189,965**	**0**	**290,846**	**2,480,811**	**2,214,384**	**266,427**	**89.3%**	**3,100,800**	**2,185,044**
Administrative fees	18,695	0	3,693	22,388	22,388	0	100.0%	18,151	18,151
Advertising	5,100	0	(3,258)	1,842	1,842	0	100.0%	2,068	2,068
Minor assets	13,706	0	2,966	16,672	12,451	4,221	74.7%	53,733	11,187
Catering: Departmental activities	4,206	0	(1,298)	2,908	2,908	0	100.0%	3,864	3,864
Communication (G&S)	106,291	0	(16,664)	89,627	89,627	0	100.0%	100,986	100,986
Computer services	55,974	0	196,865	252,839	210,849	41,990	83.4%	349,755	45,710
Consultants: Business and advisory services	5,994	0	(3,150)	2,844	2,844	0	100.0%	3,574	2,595
Laboratory services	4,398	0	(195)	4,203	299	3,904	7.1%	10,838	4,094
Legal services	1,112	0	(1,112)	0	0	0	0.0%	0	0
Contractors	26,501	0	3,291	29,792	29,792	0	100.0%	89,728	43,937
Agency and support / outsourced services	7,246	0	12,018	19,264	19,264	0	100.0%	20,897	4,261
Entertainment	282	0	(204)	78	78	0	100.0%	58	58
Fleet services (including government motor transport)	1,291,540	0	29,008	1,320,548	1,320,548	0	100.0%	1,433,914	1,433,914
Inventory: Other supplies	599	0	(587)	12	12	0	100.0%	567	57
Consumable supplies	229,106	0	92,192	321,298	143,804	177,494	44.8%	425,039	146,468
Consumable: Stationery, printing and office supplies	79,642	0	5,047	84,689	56,982	27,707	67.3%	130,605	61,425

DEPARTMENT OF POLICE
VOTE 23
APPROPRIATION STATEMENT
FOR THE YEAR ENDED 31 MARCH 2020

Economic classification	2019/20							2018/19	
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual Expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual Expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Operating leases	39,588	0	2,384	41,972	41,972	0	100.0%	61,287	45,943
Property payments	5,517	0	(3,076)	2,441	2,441	0	100.0%	4,870	4,870
Transport provided: Departmental activity	364	0	(298)	66	66	0	100.0%	39	39
Travel and subsistence	208,822	0	(6,609)	202,213	202,213	0	100.0%	248,658	175,374
Training and development	30,317	0	(14,683)	15,634	4,523	11,111	28.9%	44,566	8,568
Operating payments	51,791	0	(3,981)	47,810	47,810	0	100.0%	92,589	67,109
Venues and facilities	3,174	0	(1,503)	1,671	1,671	0	100.0%	5,014	4,366
Transfers and subsidies	**123,010**	**0**	**(5,256)**	**117,754**	**117,754**	**0**	**100.0%**	**136,591**	**136,591**
Provinces and municipalities	**11,083**	**0**	**(295)**	**10,788**	**10,788**	**0**	**100.0%**	**10,522**	**10,522**
Municipalities	11,083	0	(295)	10,788	10,788	0	100.0%	10,522	10,522
Households	**111,927**	**0**	**(4,961)**	**106,966**	**106,966**	**0**	**100.0%**	**126,069**	**126,069**
Social benefits	111,927	(1,039)	(5,149)	105,739	105,739	0	100.0%	124,484	124,484
Other transfers to households	0	1,039	188	1,227	1,227	0	100.0%	1,585	1,585
Payment for capital assets	**686,279**	**0**	**(144,919)**	**541,360**	**328,097**	**213,263**	**60.6%**	**490,221**	**274,845**
Buildings and other fixed structures	**0**	**283**	**0**	**283**	**283**	**0**	**100.0%**	**0**	**0**
Buildings	0	283	0	283	283	0	100.0%	0	0
Machinery and equipment	**686,279**	**(283)**	**(144,919)**	**541,077**	**327,814**	**213,263**	**60.6%**	**490,221**	**274,845**
Transport equipment	374,634	(11,249)	(116,015)	247,370	247,370	0	100.0%	208,002	197,264
Other machinery and equipment	311,645	10,966	(28,904)	293,707	80,444	213,263	27.4%	282,219	77,581
Total	**19,230,182**	**0**	**116,927**	**19,347,109**	**18,867,419**	**479,690**	**97.5%**	**18,959,298**	**17,828,166**

DEPARTMENT OF POLICE
VOTE 23
APPROPRIATION STATEMENT
FOR THE YEAR ENDED 31 MARCH 2020

3.1 Crime Investigations

Economic classification	2019/20							2018/19	
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual Expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual Expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Current payments	**13,056,752**	**0**	**(124,946)**	**12,931,806**	**12,931,806**	**0**	**100.0%**	**12,462,568**	**12,346,569**
Compensation of employees	11,646,888	0	(135,519)	11,511,369	11,511,369	0	100.0%	10,858,955	10,858,955
Goods and services	1,409,864	0	10,573	1,420,437	1,420,437	0	100.0%	1,603,613	1,487,614
Transfers and subsidies	**101,142**	**0**	**(7,826)**	**93,316**	**93,316**	**0**	**100.0%**	**111,954**	**111,954**
Provinces and municipalities	8,487	(14)	(81)	8,392	8,392	0	100.0%	8,022	8,022
Households	92,655	14	(7,745)	84,924	84,924	0	100.0%	103,932	103,932
Payment for capital assets	**318,439**	**0**	**(64,277)**	**254,162**	**254,162**	**0**	**100.0%**	**197,295**	**197,295**
Machinery and equipment	318,439	0	(64,277)	254,162	254,162	0	100.0%	197,295	197,295
Total	**13,476,333**	**0**	**(197,049)**	**13,279,284**	**13,279,284**	**0**	**100.0%**	**12,771,817**	**12,655,818**

DEPARTMENT OF POLICE
VOTE 23
APPROPRIATION STATEMENT
FOR THE YEAR ENDED 31 MARCH 2020

3.2 Criminal Record Centre

Economic classification	2019/20							2018/19	
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual Expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual Expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Current payments	**2,436,270**	**0**	**18,168**	**2,454,438**	**2,406,117**	**48,321**	**98.0%**	**2,525,818**	**2,333,956**
Compensation of employees	2,199,264	0	10,701	2,209,965	2,209,965	0	100.0%	2,095,479	2,095,479
Goods and services	237,006	0	7,467	244,473	196,152	48,321	80.2%	430,339	238,477
Transfers and subsidies	**7,805**	**0**	**(177)**	**7,628**	**7,628**	**0**	**100.0%**	**5,044**	**5,044**
Provinces and municipalities	1,195	5	0	1,200	1,200	0	100.0%	1,263	1,263
Households	6,610	(5)	(177)	6,428	6,428	0	100.0%	3,781	3,781
Payment for capital assets	**152,170**	**0**	**(64,304)**	**87,866**	**32,516**	**55,350**	**37.0%**	**98,857**	**26,938**
Machinery and equipment	152,170	0	(64,304)	87,866	32,516	55,350	37.0%	98,857	26,938
Total	**2,596,245**	**0**	**(46,313)**	**2,549,932**	**2,446,261**	**103,671**	**95.9%**	**2,629,719**	**2,365,938**

DEPARTMENT OF POLICE
VOTE 23
APPROPRIATION STATEMENT
FOR THE YEAR ENDED 31 MARCH 2020

3.3 Forensic Science Laboratory

Economic classification	2019/20							2018/19	
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual Expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual Expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Current payments	**1,251,876**	**0**	**328,485**	**1,580,361**	**1,362,255**	**218,106**	**86.2%**	**1,772,721**	**1,164,826**
Compensation of employees	962,126	0	65,083	1,027,209	1,027,209	0	100.0%	946,670	946,670
Goods and services	289,750	0	263,402	553,152	335,046	218,106	60.6%	826,051	218,156
Transfers and subsidies	**643**	**0**	**(356)**	**287**	**287**	**0**	**100.0%**	**320**	**320**
Provinces and municipalities	245	9	0	254	254	0	100.0%	257	257
Households	398	(9)	(356)	33	33	0	100.0%	63	63
Payment for capital assets	**172,088**	**0**	**(11,970)**	**160,118**	**2,205**	**157,913**	**1.4%**	**157,245**	**13,788**
Machinery and equipment	172,088	0	(11,970)	160,118	2,205	157,913	1.4%	157,245	13,788
Total	**1,424,607**	**0**	**316,159**	**1,740,766**	**1,364,747**	**376,019**	**78.4%**	**1,930,286**	**1,178,934**

DEPARTMENT OF POLICE
VOTE 23
APPROPRIATION STATEMENT
FOR THE YEAR ENDED 31 MARCH 2020

3.4 Specialised Investigations

Economic classification	2019/20							2018/19	
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual Expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual Expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Current payments	**1,675,995**	**0**	**45,395**	**1,721,390**	**1,721,390**	**0**	**100.0%**	**1,571,379**	**1,571,379**
Compensation of employees	1,422,650	0	35,991	1,458,641	1,458,641	0	100.0%	1,330,582	1,330,582
Goods and services	253,345	0	9,404	262,749	262,749	0	100.0%	240,797	240,797
Transfers and subsidies	**13,420**	**0**	**3,103**	**16,523**	**16,523**	**0**	**100.0%**	**19,273**	**19,273**
Provinces and municipalities	1,156	0	(214)	942	942	0	100.0%	980	980
Households	12,264	0	3,317	15,581	15,581	0	100.0%	18,293	18,293
Payment for capital assets	**43,582**	**0**	**(4,368)**	**39,214**	**39,214**	**0**	**100.0%**	**36,824**	**36,824**
Buildings and other fixed structures	0	283	0	283	283	0	100.0%	0	0
Machinery and equipment	43,582	(283)	(4,368)	38,931	38,931	0	100.0%	36,824	36,824
Total	**1,732,997**	**0**	**44,130**	**1,777,127**	**1,777,127**	**0**	**100.0%**	**1,627,476**	**1,627,476**

DEPARTMENT OF POLICE
VOTE 23
APPROPRIATION STATEMENT
FOR THE YEAR ENDED 31 MARCH 2020

Detail per programme 4 - Crime Intelligence

Sub programme		2019/20							2018/19	
		Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual Expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual Expenditure
		R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
4.1	CRIME INTELLIGENCE OPERATIONS	1,689,808	0	(20,812)	1,668,996	1,668,996	0	100.0%	1,590,454	1,590,454
4.2	INTELLIGENCE AND INFORMATION MANAGEMENT	2,402,905	0	83,873	2,486,778	2,486,778	0	100.0%	2,291,781	2,291,781
Total for sub programmes		**4,092,713**	**0**	**63,061**	**4,155,774**	**4,155,774**	**0**	**100.0%**	**3,882,235**	**3,882,235**

Economic classification	2019/20							2018/19	
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual Expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual Expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Current payments	**4,019,014**	**0**	**56,121**	**4,075,135**	**4,075,135**	**0**	**100.0%**	**3,798,633**	**3,798,633**
Compensation of employees	**3,758,341**	**0**	**59,189**	**3,817,530**	**3,817,530**	**0**	**100.0%**	**3,541,148**	**3,541,148**
Salaries and wages	3,129,078	0	(68,437)	3,060,641	3,060,641	0	100.0%	2,897,015	2,897,015
Social contributions	629,263	0	127,626	756,889	756,889	0	100.0%	644,133	644,133
Goods and services	**260,673**	**0**	**(3,068)**	**257,605**	**257,605**	**0**	**100.0%**	**257,485**	**257,485**
Administrative fees	2,157	0	428	2,585	2,585	0	100.0%	2,086	2,086
Advertising	250	0	80	330	330	0	100.0%	575	575
Minor assets	2,453	0	1,327	3,780	3,780	0	100.0%	2,240	2,240
Catering: Departmental activities	536	0	(196)	340	340	0	100.0%	312	312
Communication (G&S)	21,156	0	(7,404)	13,752	13,752	0	100.0%	13,592	13,592
Computer services	1,548	0	(1,354)	194	194	0	100.0%	174	174
Consultants: Business and advisory services	66	0	(66)	0	0	0	0.0%	12	12

DEPARTMENT OF POLICE
VOTE 23
APPROPRIATION STATEMENT
FOR THE YEAR ENDED 31 MARCH 2020

Economic classification	2019/20							2018/19	
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual Expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual Expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Contractors	2,848	0	(1,656)	1,192	1,192	0	100.0%	1,130	1,130
Agency and support / outsourced services	5	0	162	167	167	0	100.0%	81	81
Entertainment	134	0	(44)	90	90	0	100.0%	86	86
Fleet services (including government motor transport)	115,973	0	(3,340)	112,633	112,633	0	100.0%	122,466	122,466
Consumable supplies	9,289	0	1,789	11,078	11,078	0	100.0%	10,623	10,623
Consumable: Stationery, printing and office supplies	15,304	0	(697)	14,607	14,607	0	100.0%	15,798	15,798
Operating leases	17,485	0	(1,122)	16,363	16,363	0	100.0%	14,009	14,009
Property payments	2,577	0	(771)	1,806	1,806	0	100.0%	1,884	1,884
Transport provided: Departmental activity	149	0	(58)	91	91	0	100.0%	97	97
Travel and subsistence	56,164	0	4,377	60,541	60,541	0	100.0%	57,027	57,027
Training and development	0	0	27	27	27	0	100.0%	35	35
Operating payments	12,406	0	5,623	18,029	18,029	0	100.0%	14,909	14,909
Venues and facilities	173	0	(173)	0	0	0	0.0%	349	349
Transfers and subsidies	**19,849**	**0**	**5,156**	**25,005**	**25,005**	**0**	**100.0%**	**32,596**	**32,596**
Provinces and municipalities	**1,289**	**0**	**(35)**	**1,254**	**1,254**	**0**	**100.0%**	**1,208**	**1,208**
Municipalities	1,289	0	(35)	1,254	1,254	0	100.0%	1,208	1,208
Households	**18,560**	**0**	**5,191**	**23,751**	**23,751**	**0**	**100.0%**	**31,388**	**31,388**
Social benefits	18,560	0	5,106	23,666	23,666	0	100.0%	31,372	31,372
Other transfers to households	0	0	85	85	85	0	100.0%	16	16

DEPARTMENT OF POLICE
VOTE 23
APPROPRIATION STATEMENT
FOR THE YEAR ENDED 31 MARCH 2020

Economic classification	2019/20							2018/19	
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual Expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual Expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Payment for capital assets	**53,850**	**0**	**1,784**	**55,634**	**55,634**	**0**	**100.0%**	**51,006**	**51,006**
Machinery and equipment	**53,850**	**0**	**1,784**	**55,634**	**55,634**	**0**	**100.0%**	**51,006**	**51,006**
Transport equipment	44,075	(4,155)	0	39,920	39,920	0	100.0%	38,478	38,478
Other machinery and equipment	9,775	4,155	1,784	15,714	15,714	0	100.0%	12,528	12,528
Total	**4,092,713**	**0**	**63,061**	**4,155,774**	**4,155,774**	**0**	**100.0%**	**3,882,235**	**3,882,235**

4.1 Crime Intelligence Operations

Economic classification	2019/20							2018/19	
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual Expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual Expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Current payments	**1,653,355**	**(1,517)**	**(23,137)**	**1,628,701**	**1,628,701**	**0**	**100.0%**	**1,542,029**	**1,542,029**
Compensation of employees	1,549,445	0	(18,392)	1,531,053	1,531,053	0	100.0%	1,449,145	1,449,145
Goods and services	103,910	(1,517)	(4,745)	97,648	97,648	0	100.0%	92,884	92,884
Transfers and subsidies	**7,948**	**(81)**	**541**	**8,408**	**8,408**	**0**	**100.0%**	**15,323**	**15,323**
Provinces and municipalities	828	(81)	(35)	712	712	0	100.0%	630	630
Households	7,120	0	576	7,696	7,696	0	100.0%	14,693	14,693
Payment for capital assets	**28,505**	**1,598**	**1,784**	**31,887**	**31,887**	**0**	**100.0%**	**33,102**	**33,102**
Machinery and equipment	28,505	1,598	1,784	31,887	31,887	0	100.0%	33,102	33,102
Total	**1,689,808**	**0**	**(20,812)**	**1,668,996**	**1,668,996**	**0**	**100.0%**	**1,590,454**	**1,590,454**

DEPARTMENT OF POLICE
VOTE 23
APPROPRIATION STATEMENT
FOR THE YEAR ENDED 31 MARCH 2020

4.2 Intelligence and Information Management

Economic classification	2019/20							2018/19	
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual Expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual Expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Current payments	**2,365,659**	**1,517**	**79,258**	**2,446,434**	**2,446,434**	**0**	**100.0%**	**2,256,604**	**2,256,604**
Compensation of employees	2,208,896	0	77,581	2,286,477	2,286,477	0	100.0%	2,092,003	2,092,003
Goods and services	156,763	1,517	1,677	159,957	159,957	0	100.0%	164,601	164,601
Transfers and subsidies	**11,901**	**81**	**4,615**	**16,597**	**16,597**	**0**	**100.0%**	**17,273**	**17,273**
Provinces and municipalities	461	81	0	542	542	0	100.0%	578	578
Households	11,440	0	4,615	16,055	16,055	0	100.0%	16,695	16,695
Payment for capital assets	**25,345**	**(1,598)**	**0**	**23,747**	**23,747**	**0**	**100.0%**	**17,904**	**17,904**
Machinery and equipment	25,345	(1,598)	0	23,747	23,747	0	100.0%	17,904	17,904
Total	**2,402,905**	**0**	**83,873**	**2,486,778**	**2,486,778**	**0**	**100.0%**	**2,291,781**	**2,291,781**

Detail per programme 5 - Protection and Security Services

Sub programme	2019/20							2018/19	
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual Expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual Expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
5.1 VIP PROTECTION SERVICES	1,626,478	0	220,880	1,847,358	1,847,358	0	100.0%	1,573,373	1,573,373
5.2 STATIC AND MOBILE SECURITY	1,132,575	0	53,053	1,185,628	1,185,628	0	100.0%	1,081,415	1,081,415
5.3 GOVERNMENT SECURITY REGULATOR	101,230	0	(25,906)	75,324	75,324	0	100.0%	82,224	82,224
5.4 OPERATIONAL SUPPORT	288,625	0	(17,835)	270,790	270,790	0	100.0%	263,417	263,417
Total for sub programmes	**3,148,908**	**0**	**230,192**	**3,379,100**	**3,379,100**	**0**	**100.0%**	**3,000,429**	**3,000,429**

DEPARTMENT OF POLICE
VOTE 23
APPROPRIATION STATEMENT
FOR THE YEAR ENDED 31 MARCH 2020

Economic classification	2019/20							2018/19	
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual Expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual Expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Current payments	**3,065,124**	**0**	**218,353**	**3,283,477**	**3,283,477**	**0**	**100.0%**	**2,943,066**	**2,943,066**
Compensation of employees	**2,798,875**	**0**	**223,311**	**3,022,186**	**3,022,186**	**0**	**100.0%**	**2,680,463**	**2,680,463**
Salaries and wages	2,309,751	0	207,922	2,517,673	2,517,673	0	100.0%	2,207,243	2,207,243
Social contributions	489,124	0	15,389	504,513	504,513	0	100.0%	473,220	473,220
Goods and services	**266,249**	**0**	**(4,958)**	**261,291**	**261,291**	**0**	**100.0%**	**262,603**	**262,603**
Administrative fees	1,078	0	402	1,480	1,480	0	100.0%	1,144	1,144
Advertising	510	0	(422)	88	88	0	100.0%	318	318
Minor assets	4,853	0	(2,487)	2,366	2,366	0	100.0%	1,930	1,930
Catering: Departmental activities	648	0	465	1,113	1,113	0	100.0%	1,149	1,149
Communication (G&S)	6,235	0	(1,798)	4,437	4,437	0	100.0%	4,616	4,616
Computer services	10	0	5	15	15	0	100.0%	28	28
Consultants: Business and advisory services	22	0	(22)	0	0	0	0.0%	1	1
Contractors	3,319	0	83	3,402	3,402	0	100.0%	725	725
Agency and support / outsourced services	1,064	0	608	1,672	1,672	0	100.0%	1,251	1,251
Entertainment	85	0	(62)	23	23	0	100.0%	41	41
Fleet services (including government motor transport)	79,677	0	2,867	82,544	82,544	0	100.0%	83,631	83,631
Inventory: Other supplies	96	0	(96)	0	0	0	0.0%	8	8
Consumable supplies	4,052	0	2,549	6,601	6,601	0	100.0%	5,304	5,304
Consumable: Stationery, printing and office supplies	7,347	0	353	7,700	7,700	0	100.0%	6,620	6,620
Operating leases	2,860	0	156	3,016	3,016	0	100.0%	2,791	2,791

DEPARTMENT OF POLICE
VOTE 23
APPROPRIATION STATEMENT
FOR THE YEAR ENDED 31 MARCH 2020

Economic classification	2019/20							2018/19	
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual Expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual Expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Property payments	625	0	(307)	318	318	0	100.0%	378	378
Transport provided: Departmental activity	1	0	(1)	0	0	0	0.0%	0	0
Travel and subsistence	149,545	0	(4,086)	145,459	145,459	0	100.0%	150,021	150,021
Training and development	88	0	56	144	144	0	100.0%	251	251
Operating payments	3,940	0	(3,354)	586	586	0	100.0%	1,977	1,977
Venues and facilities	194	0	133	327	327	0	100.0%	419	419
Transfers and subsidies	**5,993**	**0**	**(288)**	**5,705**	**5,705**	**0**	**100.0%**	**8,959**	**8,959**
Provinces and municipalities	**1,144**	**0**	**61**	**1,205**	**1,205**	**0**	**100.0%**	**1,075**	**1,075**
Municipalities	1,144	0	61	1,205	1,205	0	100.0%	1,075	1,075
Households	**4,849**	**0**	**(349)**	**4,500**	**4,500**	**0**	**100.0%**	**7,884**	**7,884**
Social benefits	4,849	(113)	(349)	4,387	4,387	0	100.0%	7,884	7,884
Other transfers to households	0	113	0	113	113	0	100.0%	0	0
Payment for capital assets	**77,791**	**0**	**12,127**	**89,918**	**89,918**	**0**	**100.0%**	**48,404**	**48,404**
Machinery and equipment	**77,791**	**0**	**12,127**	**89,918**	**89,918**	**0**	**100.0%**	**48,404**	**48,404**
Transport equipment	60,792	11,520	12,127	84,439	84,439	0	100.0%	41,658	41,658
Other machinery and equipment	16,999	(11,520)	0	5,479	5,479	0	100.0%	6,746	6,746
Total	**3,148,908**	**0**	**230,192**	**3,379,100**	**3,379,100**	**0**	**100.0%**	**3,000,429**	**3,000,429**

DEPARTMENT OF POLICE
VOTE 23
APPROPRIATION STATEMENT
FOR THE YEAR ENDED 31 MARCH 2020

5.1 VIP Protection Services

Economic classification	2019/20							2018/19	
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual Expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual Expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Current payments	**1,565,748**	**(1,597)**	**207,293**	**1,771,444**	**1,771,444**	**0**	**100.0%**	**1,532,234**	**1,532,234**
Compensation of employees	1,368,005	0	204,485	1,572,490	1,572,490	0	100.0%	1,331,942	1,331,942
Goods and services	197,743	(1,597)	2,808	198,954	198,954	0	100.0%	200,292	200,292
Transfers and subsidies	**2,610**	**(453)**	**(318)**	**1,839**	**1,839**	**0**	**100.0%**	**4,386**	**4,386**
Provinces and municipalities	716	0	31	747	747	0	100.0%	612	612
Households	1,894	(453)	(349)	1,092	1,092	0	100.0%	3,774	3,774
Payment for capital assets	**58,120**	**2,050**	**13,905**	**74,075**	**74,075**	**0**	**100.0%**	**36,753**	**36,753**
Machinery and equipment	58,120	2,050	13,905	74,075	74,075	0	100.0%	36,753	36,753
Total	**1,626,478**	**0**	**220,880**	**1,847,358**	**1,847,358**	**0**	**100.0%**	**1,573,373**	**1,573,373**

5.2 Static and Mobile Security

Economic classification	2019/20							2018/19	
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual Expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual Expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Current payments	**1,118,862**	**(880)**	**53,047**	**1,171,029**	**1,171,029**	**0**	**100.0%**	**1,072,248**	**1,072,248**
Compensation of employees	1,078,388	0	56,652	1,135,040	1,135,040	0	100.0%	1,035,312	1,035,312
Goods and services	40,474	(880)	(3,605)	35,989	35,989	0	100.0%	36,936	36,936
Transfers and subsidies	**2,654**	**771**	**6**	**3,431**	**3,431**	**0**	**100.0%**	**3,342**	**3,342**
Provinces and municipalities	253	6	6	265	265	0	100.0%	270	270
Households	2,401	765	0	3,166	3,166	0	100.0%	3,072	3,072
Payment for capital assets	**11,059**	**109**	**0**	**11,168**	**11,168**	**0**	**100.0%**	**5,825**	**5,825**
Machinery and equipment	11,059	109	0	11,168	11,168	0	100.0%	5,825	5,825
Total	**1,132,575**	**0**	**53,053**	**1,185,628**	**1,185,628**	**0**	**100.0%**	**1,081,415**	**1,081,415**

DEPARTMENT OF POLICE
VOTE 23
APPROPRIATION STATEMENT
FOR THE YEAR ENDED 31 MARCH 2020

5.3 Government Security Regulator

Economic classification	2019/20							2018/19	
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual Expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual Expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Current payments	**97,672**	**6**	**(24,128)**	**73,550**	**73,550**	**0**	**100.0%**	**79,836**	**79,836**
Compensation of employees	89,524	0	(22,376)	67,148	67,148	0	100.0%	73,950	73,950
Goods and services	8,148	6	(1,752)	6,402	6,402	0	100.0%	5,886	5,886
Transfers and subsidies	**41**	**(6)**	**0**	**35**	**35**	**0**	**100.0%**	**67**	**67**
Provinces and municipalities	41	(6)	0	35	35	0	100.0%	37	37
Households	0	0	0	0	0	0	0.0%	30	30
Payment for capital assets	**3,517**	**0**	**(1,778)**	**1,739**	**1,739**	**0**	**100.0%**	**2,321**	**2,321**
Machinery and equipment	3,517	0	(1,778)	1,739	1,739	0	100.0%	2,321	2,321
Total	**101,230**	**0**	**(25,906)**	**75,324**	**75,324**	**0**	**100.0%**	**82,224**	**82,224**

5.4 Operational Support

Economic classification	2019/20							2018/19	
	Adjusted Appropriation	Shifting of Funds	Virement	Final Appropriation	Actual Expenditure	Variance	Expenditure as % of final appropriation	Final Appropriation	Actual Expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Current payments	**282,842**	**2,471**	**(17,859)**	**267,454**	**267,454**	**0**	**100.0%**	**258,748**	**258,748**
Compensation of employees	262,958	0	(15,450)	247,508	247,508	0	100.0%	239,259	239,259
Goods and services	19,884	2,471	(2,409)	19,946	19,946	0	100.0%	19,489	19,489
Transfers and subsidies	**688**	**(312)**	**24**	**400**	**400**	**0**	**100.0%**	**1,164**	**1,164**
Provinces and municipalities	134	0	24	158	158	0	100.0%	156	156
Households	554	(312)	0	242	242	0	100.0%	1,008	1,008
Payment for capital assets	**5,095**	**(2,159)**	**0**	**2,936**	**2,936**	**0**	**100.0%**	**3,505**	**3,505**
Machinery and equipment	5,095	(2,159)	0	2,936	2,936	0	100.0%	3,505	3,505
Total	**288,625**	**0**	**(17,835)**	**270,790**	**270,790**	**0**	**100.0%**	**263,417**	**263,417**

DEPARTMENT OF POLICE
VOTE 23

NOTES TO THE APPROPRIATION STATEMENT

FOR THE YEAR ENDED 31 MARCH 2020

1. **Detail of transfers and subsidies as per Appropriation Act (after Virement):**

Detail of these transactions can be viewed in note 6 to the Annual Financial Statements.

2. **Detail of payments for financial assets**

Detail of these transactions can be viewed in note 5 to the Annual Financial Statements.

3 **Explanations of material variances from Amounts Voted (after Virement):**

3.1 **Per programme:**

Programme name	Final Appropriation	Actual Expenditure	Variance	Variance as a % of Final Appropriation.
	R'000	R'000	R'000	%
Administration	20,151,549	19,922,542	229,007	1.14%
Visible Policing	49,793,729	49,748,382	45,347	0.09%
Detective Services	19,347,109	18,867,419	479,690	2.48%
Crime Intelligence	4,155,774	4,155,774	0	0.00%
Protection and Security Services	3,379,100	3,379,100	0	0.00%
Total	96,827,261	96,073,217	754,044	0.78%

3.2 **Per economic classification:**

	Final Appropriation	Actual Expenditure	Variance	Variance as a % of Final Appropriation.
	R'000	R'000	R'000	%
Current expenditure				
Compensation of employees	76,357,717	76,357,670	47	0.00%
Goods and services	16,140,899	15,874,460	266,439	1.65%
Transfers and subsidies				
Provinces and municipalities	52,777	52,777	0	0.00%
Departmental agencies and accounts	195,902	195,902	0	0.00%
Households	1,119,516	1,119,516	0	0.00%
Payments for capital assets				
Buildings and other fixed structures	549,874	513,293	36,581	6.65%
Machinery and equipment	2,378,270	1,927,293	450,977	18.96%
Payments for financial assets	32,306	32,306	0	0.00%
Total	96,827,261	96,073,217	754,044	0.78%

Variances on programme per economic classification are in respect of unspent amounts earmarked by National Treasury for implementation of the Criminal Justice System 7-point plan and unspent amounts specifically and exclusively allocated in the Appropriation Act for construction and upgrading of police stations as well as unspent capital amounts that may not be utilised for other purpose or to defray current expenditure respectively.

ANNEXURE IP17 827

DEPARTMENT OF POLICE
VOTE 23

STATEMENT OF FINANCIAL PERFORMANCE

FOR THE YEAR ENDED 31 MARCH 2020

	Note	2019/20 R'000	2018/19 R'000
REVENUE			
Annual appropriation	1	96,827,261	91,684,161
Departmental revenue	2	601,703	563,149
TOTAL REVENUE		97,428,964	92,247,310
EXPENDITURE			
Current expenditure			
Compensation of employees	3	76,357,670	71,282,392
Goods and services	4	15,874,460	14,836,304
Total current expenditure		92,232,130	86,118,696
Transfers and subsidies			
Transfers and subsidies	6	1,368,195	1,399,766
Total transfers and subsidies		1,368,195	1,399,766
Expenditure for capital assets			
Tangible assets	7	2,440,586	2,894,723
Intangible assets	7	0	0
Total expenditure for capital assets		2,440,586	2,894,723
Payments for financial assets	5	32,306	15,557
TOTAL EXPENDITURE		96,073,217	90,428,742
SURPLUS/(DEFICIT) FOR THE YEAR		1,355,747	1,818,568
Reconciliation of Net Surplus/(Deficit) for the year			
Voted funds		754,044	1,255,419
Annual appropriation		754,044	1,255,419
Departmental revenue	12	601,703	563,149
SURPLUS/(DEFICIT) FOR THE YEAR		1,355,747	1,818,568

ANNEXURE IP17 828

DEPARTMENT OF POLICE
VOTE 23

STATEMENT OF FINANCIAL POSITION

AS AT 31 MARCH 2020

	Note	2019/20	2018/19
		R'000	R'000
ASSETS			
Current assets		850,832	1,353,648
Cash and cash equivalents	**8**	587,555	1,107,398
Prepayments and advances	**9**	48,268	48,139
Receivables	**10**	215,009	198,111
Non-current assets		226,459	223,159
Receivables	**10**	226,459	223,159
TOTAL ASSETS		1,077,291	1,576,807
LIABILITIES			
Current liabilities		806,766	1,301,866
Voted funds to be surrendered to the Revenue Fund	**11**	754,044	1,255,419
Departmental revenue to be surrendered to the Revenue Fund	**12**	0	80
Payables	**14**	52,722	46,367
TOTAL LIABILITIES		806,766	1,301,866
NET ASSETS		270,525	274,941
Represented by:			
Recoverable revenue		270,525	274,941
TOTAL		270,525	274,941

ANNEXURE IP17 829

DEPARTMENT OF POLICE
VOTE 23

STATEMENT OF CHANGE IN NET ASSETS

FOR THE YEAR ENDED 31 MARCH 2020

	Note	2019/20	2018/19
		R'000	R'000
Recoverable revenue			
Opening balance		274,941	252,912
Transfers:		(4,416)	22,029
Irrecoverable amounts written off	**5.3**	(21,063)	(6,042)
Debts revised	**10.5**	(20,093)	(8,640)
Debts recovered (included in departmental receipts)		(121,658)	(17,286)
Debts raised		158,398	53,997
Closing balance		270,525	274,941

ANNEXURE IP17 830

DEPARTMENT OF POLICE
VOTE 23

CASHFLOW STATEMENT

FOR THE YEAR ENDED 31 MARCH 2020

	Note	2019/20	2018/19
		R'000	R'000
CASH FLOWS FROM OPERATING ACTIVITIES			
Receipts		97,343,428	92,161,079
Annual appropriated funds received	**1.1**	96,827,261	91,684,161
Departmental revenue received	**2**	514,412	475,585
Interest received	**2.3**	1,755	1,333
Net (increase)/decrease in working capital		(10,672)	(16,094)
Surrendered to Revenue Fund	**11&12**	(1,857,202)	(719,528)
Current payments		(92,232,130)	(86,118,696)
Payments for financial assets		(32,306)	(15,557)
Transfers and subsidies paid		(1,368,195)	(1,399,766)
Net cash flow available from operating activities	**15**	1,842,923	3,891,438
CASH FLOWS FROM INVESTING ACTIVITIES			
Payments for capital assets	**7**	(2,440,586)	(2,894,723)
Proceeds from sale of capital assets	**2.4**	85,536	86,231
(Increase)/decrease in non-current receivables		(3,300)	0
Net cash flows from investing activities		(2,358,350)	(2,808,492)
CASH FLOWS FROM FINANCING ACTIVITIES			
Increase/(decrease) in net assets		(4,416)	22,029
Net cash flows from financing activities		(4,416)	22,029
Net increase/(decrease) in cash and cash equivalents		(519,843)	1,104,975
Cash and cash equivalents at beginning of period		1,107,398	2,423
Cash and cash equivalents at end of period	**16**	587,555	1,107,398

DEPARTMENT OF POLICE
VOTE 23
ACCOUNTING POLICIES
FOR THE YEAR ENDED 31 MARCH 2020

PART A: ACCOUNTING POLICIES

The financial statements have been prepared in accordance with the following policies, which have been applied consistently in all material aspects, unless otherwise indicated. Management has concluded that the financial statements present fairly the department's primary and secondary information.
The historical cost convention has been used, except where otherwise indicated. Management has used assessments and estimates in preparing the annual financial statements. These are based on the best information available at the time of preparation.
Where appropriate and meaningful, additional information has been disclosed to enhance the usefulness of the financial statements and to comply with the statutory requirements of the Public Finance Management Act (PFMA), Act 1 of 1999 (as amended by Act 29 of 1999), and the Treasury Regulations issued in terms of the PFMA and the annual Division of Revenue Act.

1. Basis of preparation

The financial statements have been prepared in accordance with the Modified Cash Standard.

2. Going concern

The financial statements have been prepared on a going concern basis.

3. Presentation currency

Amounts have been presented in the currency of the South African Rand (R) which is also the functional currency of the department.

4. Rounding

Unless otherwise stated financial figures have been rounded to the nearest one thousand Rand (R'000).

5. Prior period comparative information

Prior period comparative information has been presented in the current year's financial statements. Where necessary figures included in the prior period financial statements have been reclassified to ensure that the format in which the information is presented is consistent with the format of the current year's financial statements.

6. Current year comparison with budget

A comparison between the approved, final budget and actual amounts for each programme and economic classification is included in the appropriation statement.

7. Revenue

7.1 Appropriated funds

Appropriated funds comprises of departmental allocations as well as direct charges against the revenue fund (i.e. statutory appropriation).

Appropriated funds are recognised in the statement of financial performance on the date the appropriation becomes effective. Adjustments made in terms of the adjustments budget process are recognised in the statement of financial performance on the date the adjustments become effective.

The net amount of any appropriated funds due to / from the relevant revenue fund at the reporting date is recognised as a payable / receivable in the statement of financial position.

7.2 Departmental revenue

Departmental revenue is recognised in the statement of financial performance when received and is subsequently paid into the relevant revenue fund, unless stated otherwise.

Any amount owing to the relevant revenue fund at the reporting date is recognised as a payable in the statement of financial position.

7.3 Accrued departmental revenue

Accruals in respect of departmental revenue (excluding tax revenue) are recorded in the notes to the financial statements when:

- it is probable that the economic benefits or service potential associated with the transaction will flow to the department; and
- the amount of revenue can be measured reliably.

The accrued revenue is measured at the fair value of the consideration receivable.

Accrued tax revenue (and related interest and / penalties) is measured at amounts receivable from collecting agents.

Write-offs are made according to the department's debt write-off policy.

8 Expenditure

8.1 Compensation of employees

8.1.1 Salaries and wages

Salaries and wages are recognised in the statement of financial performance on the date of payment.

8.1.2 Social contributions

Social contributions made by the department in respect of current employees are recognised in the statement of financial performance on the date of payment.

Social contributions made by the department in respect of ex-employees are classified as transfers to households in the statement of financial performance on the date of payment.

8.2 Other expenditure

Other expenditure (such as goods and services, transfers and subsidies and payments for capital assets) is recognised in the statement of financial performance on the date of payment. The expense is classified as a capital expense if the total consideration paid is more than the capitalisation threshold.

8.3 Accruals and payables not recognised

Accruals and payables not recognised are recorded in the notes to the financial statements at cost at the reporting date.

8.4 Leases

8.4.1 Operating leases

Operating lease payments made during the reporting period are recognised as current expenditure in the statement of financial performance on the date of payment. The operating lease commitments are recorded in the notes to the financial statements.

8.4.2 Finance leases

Finance lease payments made during the reporting period are recognised as capital expenditure in the statement of financial performance on the date of payment.

The finance lease commitments are recorded in the notes to the financial statements and are not apportioned between the capital and interest portions.

Finance lease assets acquired at the end of the lease term are recorded and measured at the lower of:

» cost, being the fair value of the asset; or

» the sum of the minimum lease payments made, including any payments made to acquire ownership at the end of the lease term, excluding interest.

9. Aid assistance

9.1 Aid assistance received

Aid assistance received in cash is recognised in the statement of financial performance when received. In-kind aid assistance is recorded in the notes to the financial statements on the date of receipt and is measured at fair value.

Aid assistance not spent for the intended purpose and any unutilised funds from aid assistance that are required to be refunded to the donor are recognised as a payable in the statement of financial position.

10. Cash and cash equivalents

Cash and cash equivalents are stated at cost in the statement of financial position.

Bank overdrafts are shown separately on the face of the statement of financial position as a current liability.

For the purposes of the cash flow statement, cash and cash equivalents comprise cash on hand, deposits held, other short-term highly liquid investments and bank overdrafts.

11. Prepayments and advances

Prepayments and advances are recognised in the statement of financial position when the department receives or disburses the cash.

Prepayments and advances are initially and subsequently measured at cost.

12. Receivables

Receivables are recognised in the statement of financial position at cost plus accrued interest, where interest is charged, less amounts already settled or written-off.

Write-offs are made according to the department's write-off policy.

13. Impairment of financial assets.

Where there is an indication of impairment of a financial asset, an estimation of the reduction in the recorded carrying value, to reflect the best estimate of the amount of the future economic benefits expected to be received from that asset, is recorded in the notes to the financial statements.

14. Payables

Payables recognised in the statement of financial position are recognised at cost.

15. Capital assets

15.1 Immovable capital assets

Immovable assets reflected in the asset register of the department are recorded in the notes to the financial statements at cost or fair value where the cost cannot be determined reliably. Immovable assets acquired in a non-exchange transaction are recorded at fair value at the date of acquisition. Immovable assets are subsequently carried in the asset register at cost and are not currently subject to depreciation or impairment.

Subsequent expenditure of a capital nature forms part of the cost of the existing asset when ready for use. Additional information on immovable assets not reflected in the assets register is provided in the notes to financial statements

15.2 Movable capital assets

Movable capital assets

Movable capital assets are initially recorded in the notes to the financial statements at cost. Movable capital assets acquired through a non-exchange transaction is measured at fair value as at the date of acquisition.

Where the cost of movable capital assets cannot be determined reliably, the movable capital assets are measured at fair value and where fair value cannot be determined; the movable assets are measured at R1.

All assets acquired prior to 1 April 2002 (or a later date as approved by the OAG) may be recorded at R1.

Movable capital assets are subsequently carried at cost and are not subject to depreciation or impairment.

Subsequent expenditure that is of a capital nature forms part of the cost of the existing asset when ready for use.

15.3 Intangible assets

Intangible assets are initially recorded in the notes to the financial statements at cost. Intangible assets acquired through a non-exchange transaction are measured at fair value as at the date of acquisition.

Internally generated intangible assets are recorded in the notes to the financial statements when the department commences the development phase of the project.

Where the cost of intangible assets cannot be determined reliably, the intangible capital assets are measured at fair value and where fair value cannot be determined; the intangible assets are measured at R1.

All assets acquired prior to 1 April 2002 (or a later date as approved by the OAG) may be recorded at R1.

Intangible assets are subsequently carried at cost and are not subject to depreciation or impairment.

Subsequent expenditure of a capital nature forms part of the cost of the existing asset when ready for use.

15.4 Project Costs: Work-in-progress

Expenditure of a capital nature is initially recognised in the statement of financial performance at cost when paid.

Amounts paid towards capital projects are separated from the amounts recognised and accumulated in work-in-progress until the underlying asset is ready for use. Once ready for use, the total accumulated payments are recorded in an asset register. Subsequent payments to complete the project are added to the capital asset in the asset register.

Where the department is not the custodian of the completed project asset, the asset is transferred to the custodian subsequent to completion.

16. Provisions and Contingents

16.1 Provisions

Provisions are recorded in the notes to the financial statements when there is a present legal or constructive obligation to forfeit economic benefits as a result of events in the past and it is probable that an outflow of resources embodying economic benefits or service potential will be required to settle the obligation and a reliable estimate of the obligation can be made. The provision is measured as the best estimate of the funds required to settle the present obligation at the reporting date.

16.2 Contingents liabilities

Contingent liabilities are recorded in the notes to the financial statements when there is a possible obligation that arises from past events, and whose existence will be confirmed only by the occurrence or non-occurrence of one or more uncertain future events not within the control of the department or when there is a present obligation that is not recognised because it is not probable that an outflow of resources will be required to settle the obligation or the amount of the obligation cannot be measured reliably.

16.3 Contingent assets

Contingent assets are recorded in the notes to the financial statements when a possible asset arises from past events, and whose existence will be confirmed by the occurrence or non-occurrence of one or more uncertain future events not within the control of the department.

16.4 Capital Commitments

Capital commitments are recorded at cost in the notes to the financial statements.

17. Unauthorised expenditure

Unauthorised expenditure is recognised in the statement of financial position until such time as the expenditure is either:

- approved by Parliament or the Provincial Legislature with funding and the related funds are received; or
- approved by Parliament or the Provincial Legislature without funding and is written off against the appropriation in the statement of financial performance; or
- transferred to receivables for recovery.

Unauthorised expenditure is measured at the amount of the confirmed unauthorised expenditure.

18. Fruitless and wasteful expenditure

Fruitless and wasteful expenditure is recorded in the notes to the financial statements when confirmed. The amount recorded is equal to the total value of the fruitless and or wasteful expenditure incurred.

Fruitless and wasteful expenditure is removed from the notes to the financial statements when it is resolved or transferred to receivables or written off.

Fruitless and wasteful expenditure receivables are measured at the amount that is expected to be recoverable and are de-recognised when settled or subsequently written-off as irrecoverable.

19. Irregular expenditure

Irregular expenditure is recorded in the notes to the financial statements when confirmed. The amount recorded is equal to the value of the irregular expenditure incurred unless it is impracticable to determine, in which case reasons therefor are provided in the note.

Irregular expenditure is removed from the note when it is either condoned by the relevant authority, transferred to receivables for recovery, not condoned and removed or written-off.

Irregular expenditure receivables are measured at the amount that is expected to be recoverable and are de-recognised when settled or subsequently written-off as irrecoverable.

20. Changes in accounting policies, accounting estimates and errors

Changes in accounting estimates are applied prospectively in accordance with MCS requirements.

Correction of errors is applied retrospectively in the period in which the error has occurred in accordance with MCS requirements, except to the extent that it is impracticable to determine the period-specific effects or the cumulative effect of the error. In such cases the department shall restate the opening balances of assets, liabilities and net assets for the earliest period for which retrospective restatement is practicable.

21. Events after the reporting date

Events after the reporting date that are classified as adjusting events have been accounted for in the financial statements. The events after the reporting date that are classified as non-adjusting events after the reporting date have been disclosed in the notes to the financial statements.

22. Recoverable revenue

Amounts are recognised as recoverable revenue when a payment made in a previous financial year becomes recoverable from a debtor in the current financial year. Amounts are either transferred to the National/Provincial Revenue Fund when recovered or are transferred to the statement of financial performance when written-off.

23. Related party transactions

Related party transactions within the Minister/MEC's portfolio are recorded in the notes to the financial statements when the transaction is not at arm's length.

The number of individuals and the full compensation of key management personnel is recorded in the notes to the financial statements.

24. Inventories (Effective from date determined in a Treasury Instruction)

At the date of acquisition, inventories are recognised at cost in the statement of financial performance.

Where inventories are acquired as part of a non-exchange transaction, the inventories are measured at fair value as at the date of acquisition.

Inventories are subsequently measured at the lower of cost and net realisable value or where intended for distribution (or consumed in the production of goods for distribution) at no or a nominal charge, the lower of cost and current replacement value.

The cost of inventories is assigned by using the weighted average cost basis.

25. Employee benefits

The value of each major class of employee benefit obligation (accruals, payables not recognised and provisions) is disclosed in the Employee benefits note.

DEPARTMENT OF POLICE
VOTE 23

NOTES TO THE ANNUAL FINANCIAL STATEMENTS

FOR THE YEAR ENDED 31 MARCH 2020

1. Annual Appropriation

1.1 Annual Appropriation

	2019/20			2018/19	
	Final Appropriation	Actual Funds Received	Funds not requested/ not received	Final Appropriation	Appropriation Received
Programmes	**R'000**	**R'000**	**R'000**	**R'000**	**R'000**
Administration	20,151,549	20,151,549	**0**	18,723,241	18,723,241
Visible Policing	49,793,729	49,793,729	**0**	47,118,958	47,118,958
Detective Services	19,347,109	19,347,109	**0**	18,959,298	18,959,298
Crime Intelligence	4,155,774	4,155,774	**0**	3,882,235	3,882,235
Protection and Security Services	3,379,100	3,379,100	**0**	3,000,429	3,000,429
Total	96,827,261	96,827,261	**0**	91,684,161	91,684,161

2. Departmental revenue

	Note	2019/20	2018/19
		R'000	**R'000**
Sales of goods and services other than capital assets	**2.1**	331,208	329,367
Fines, penalties and forfeits	**2.2**	43,394	6,732
Interest, dividends and rent on land	**2.3**	1,755	1,333
Sales of capital assets	**2.4**	85,536	86,231
Transactions in financial assets and liabilities	**2.5**	139,810	139,486
Departmental revenue collected		601,703	563,149

2.1 Sales of goods and services other than capital assets

	Note		
	2		
Sales of goods and services produced by the department		325,990	318,863
Administrative fees		33,906	31,904
Other sales		292,084	286,959
Sales of scrap, waste and other used current goods		5,218	10,504
Total		331,208	329,367

2.2 Fines, penalties and forfeits

	2		
Fines		216	259
Forfeits		43,178	6,473
Total		43,394	6,732

2.3 Interest, dividends and rent on land

	2		
Interest		1,755	1,333
Total		1,755	1,333

		Note	2019/20	2018/19
			R'000	R'000
2.4	**Sale of capital assets**	**2**		
	Tangible assets		85,536	86,231
	Machinery and equipment	**30.2**	85,530	86,226
	Biological assets	**30.2**	6	5
	Total		85,536	86,231
2.5	**Transactions in financial assets and liabilities**	**2**		
	Stale cheques written back		4,244	4,452
	Other Receipts including Recoverable Revenue		135,566	135,034
	Total		139,810	139,486
3.	**Compensation of employees**			
3.1	**Salaries and wages**			
	Basic salary		49,415,546	46,121,112
	Performance award		28,134	33,921
	Service Based		207,561	260,404
	Compensative/circumstantial		1,970,766	1,707,317
	Other non-pensionable allowances		8,366,738	7,950,533
	Total		59,988,745	56,073,287
3.2	**Social contributions**			
	Employer contributions			
	Pension		7,696,978	7,208,308
	Medical		8,658,407	7,988,884
	Official unions and associations		13,540	11,913
	Total		16,368,925	15,209,105
	Total compensation of employees		76,357,670	71,282,392
	Average number of employees		189,518	190,144

DEPARTMENT OF POLICE
VOTE 23
NOTES TO THE ANNUAL FINANCIAL STATEMENTS
FOR THE YEAR ENDED 31 MARCH 2020

		Note	2019/20	2018/19
4.	**Goods and services**		**R'000**	**R'000**
	Administrative fees		78,622	63,730
	Advertising		16,220	22,551
	Minor assets	**4.1**	159,703	218,394
	Bursaries (employees)		9,493	11,403
	Catering		24,322	33,854
	Communication		444,486	465,146
	Computer services	**4.2**	2,782,611	1,733,551
	Consultants: Business and advisory services		14,617	19,823
	Infrastructure and planning services		0	50
	Laboratory services		327	4,147
	Legal services		383,122	344,470
	Contractors		308,882	378,888
	Agency and support/outsourced services		464,636	426,183
	Entertainment		626	644
	Audit cost - external	**4.3**	45,117	39,776
	Fleet services		4,225,122	4,549,569
	Inventory	**4.4**	231,993	251,924
	Consumables	**4.5**	769,479	692,555
	Operating leases		3,092,874	2,943,316
	Property payments	**4.6**	1,367,141	1,254,693
	Transport provided as part of the departmental activities		1,148	1,350
	Travel and subsistence	**4.7**	1,292,247	1,177,763
	Venues and facilities		16,923	31,472
	Training and development		18,820	25,048
	Other operating expenditure	**4.8**	125,929	146,004
	Total		15,874,460	14,836,304

The year on year increase in administrative fees are as a result of an increased number of fuel transactions processed and in relation to computer service due to more payments in respect of service level agreements with SITA during the year.

4.1	**Minor Assets**	**4**		
	Tangible assets		159,703	218,394
	Machinery and equipment		159,703	218,394

4.2	**Computer services**	**4**		
	SITA computer services		1,807,213	1,069,356
	External computer service providers		975,398	664,195
	Total		2,782,611	1,733,551

DEPARTMENT OF POLICE
VOTE 23
NOTES TO THE ANNUAL FINANCIAL STATEMENTS
FOR THE YEAR ENDED 31 MARCH 2020

Detail note 4 continued

		Note	2019/20	2018/19
			R'000	R'000
4.3	**Audit cost - External**	**4**		
	Regularity audits		43,255	33,637
	Investigations		1,862	6,139
	Total		45,117	39,776
4.4	**Inventory**	**4**		
	Clothing material and accessories		163,807	218,142
	Other supplies	**4.4.1**	68,186	33,782
	Total		231,993	251,924
4.4.1	**Other Supplies**			
	Ammunition and security supplies		68,186	33,782
	Total		68,186	33,782
4.5	**Consumables**	**4**		
	Consumable supplies		454,316	361,121
	Uniform and clothing		85,677	121,198
	Household supplies		79,275	70,508
	Building material and supplies		22,540	24,155
	Communication accessories		58	62
	Other consumables		266,766	145,198
	Stationery, printing and office supplies		315,163	331,434
	Total		769,479	692,555
4.6	**Property payments**	**4**		
	Municipal services		1,271,181	1,156,822
	Property management fees		63,545	57,763
	Other		32,415	40,108
	Total		1,367,141	1,254,693
4.7	**Travel and subsistence**	**4**		
	Local		1,201,858	1,071,656
	Foreign		90,389	106,107
	Total		1,292,247	1,177,763
4.8	**Other operating expenditure**	**4**		
	Professional bodies, membership and subscription fees		12,288	10,203
	Resettlement costs		55,530	56,430
	Other		58,111	79,371
	Total		125,929	146,004

DEPARTMENT OF POLICE
VOTE 23
NOTES TO THE ANNUAL FINANCIAL STATEMENTS
FOR THE YEAR ENDED 31 MARCH 2020

		Note	2019/20	2018/19
			R'000	R'000
5.	**Payments for financial assets**			
	Material losses through criminal conduct		0	0
	Theft		0	0
	Other material losses	**5.1**	0	0
	Other material losses written off	**5.2**	634	4,200
	Debts written off	**5.3**	31,672	11,357
	Total		32,306	15,557
5.1	**Other material losses**			
	Nature of other material losses	**5**		
	Incident — **Disciplinary Steps taken/ Criminal proceedings**			
	Total		0	0
5.2	**Other material losses written off**	**5**		
	Nature of losses			
	Advances		34	22
	Cash : Cashier		0	6
	Erroneous payments		541	0
	Fraud		59	4,171
	Counterfeit money		0	1
	Total		634	4,200

A criminal investigation with regards to fraudulent transaction relating to money forfeited to the state not deposited at the bank (money stolen and fake deposit slip created)was instituted.The incident was reported in 2006, recovery processes not instituted timely until the loss prescribed and written off.

5.3	**Debts written off**			
	Nature of debts written off			
	Recoverable revenue written off			
	Salary related debt	**5**	17,839	3,454
	Property related debt		3,135	2,529
	Admin related debt		45	39
	Fruitless and Wasteful		44	20
	Total		21,063	6,042
	Other debt written off			
	Salary related debt		10,560	5,086
	Property related debt		(81)	220
	Admin related debt		65	9
	Fruitless and Wasteful		65	0
	Total		10,609	5,315
	Total debt written off		31,672	11,357

DEPARTMENT OF POLICE
VOTE 23
NOTES TO THE ANNUAL FINANCIAL STATEMENTS
FOR THE YEAR ENDED 31 MARCH 2020

		Note	2019/20	2018/19
			R'000	R'000
6.	**Transfers and subsidies**			
	Provinces and municipalities		52,777	49,466
	Departmental agencies and accounts		195,902	176,847
	Non-profit institutions		0	1,000
	Households		1,119,516	1,172,453
	Total		1,368,195	1,399,766
6.1	**Provinces and municipalities**	**6**		
	Fines and penalties		45	199
	Vehicle licences		52,732	49,267
	Total		52,777	49,466
6.2	**Departmental agencies and accounts**	**6**		
	Safety and Security Sector Education & Training Authority		52,851	45,628
	Civilian Secretariat		143,051	131,219
	Total		195,902	176,847
6.3	**Non - Profit Institutions**	**6**		
	Donations and Gifts NPI		0	1,000
	Total		0	1,000
6.4	**Households**			
	Employee social benefit	**6**	484,142	601,081
	Claims against the State (Households)		582,903	527,018
	Medical expenses detainees		52,471	44,354
	Total		1,119,516	1,172,453
7	**Expenditure for capital assets**			
	Tangible assets		2,440,586	2,894,723
	Buildings and other fixed structures	**32.1**	513,293	686,300
	Machinery and equipment	**30.1**	1,927,293	2,201,397
	Biological assets	**30.1**	0	7,026
	Intangible assets		0	0
	Software	**31.1**	0	0
	Total		2,440,586	2,894,723

Detail note 7 continued

7.1 Analysis of funds utilised to acquire capital assets - 2019/20

	Voted Funds	Aid assistance	Total
	R'000	R'000	R'000
Tangible assets	2,440,586	0	2,440,586
Buildings and other fixed structures	513,293	0	513,293
Machinery and equipment	1,927,293	0	1,927,293
Biological assets	0	0	0
Intangible assets	0	0	0
Software	0	0	0
Total	2,440,586	0	2,440,586

7.2 Analysis of funds utilised to acquire capital assets - 2018/19

	Voted Funds	Aid assistance	Total
	R'000	R'000	R'000
Tangible assets	2,894,723	0	2,894,723
Buildings and other fixed structures	686,300	0	686,300
Machinery and equipment	2,201,397	0	2,201,397
Biological assets	7,026	0	7,026
Intangible assets	0	0	0
Software	0	0	0
Total	2,894,723	0	2,894,723

7.3 Finance lease expenditure included in Expenditure for capital assets

	Note	2019/20	2018/19
Tangible assets		R'000	R'000
Machinery and equipment		186,610	164,701
Total		186,610	164,701

8. Cash and cash equivalents

Consolidated Paymaster General Account	572,133	1,091,957
Cash on hand	15,032	14,314
Cash with commercial banks (Local)	390	1,127
Total	587,555	1,107,398

9. Prepayments and advances	Note	2019/20	2018/19
		R'000	R'000
Staff advances		38	171
Travel and subsistence		37,462	43,269
Advances paid (Not expensed)	9.1	10,768	4,699
Total		48,268	48,139

9.1 Advances paid (Not expensed)	Note 9	Balance as at 1 April 2019	Less: Amount expensed in current year	Add/Less: Other	Add: Current Year advances	Balance as at 31 March 2020
		R'000	R'000	R'000	R'000	R'000
National departments		2,488	9,823	1,135	14,061	5,591
Provincial departments		0	0	0	0	0
Public entities		0	0	0	0	0
Other institutions		2,211	48,318	13,667	64,951	5,177
Total		4,699	58,141	14,802	79,012	10,768

The total amount of R14,802 million under Add/Less:Other represent advances returned, advances not used, advances written off and advances recovered.

Advances paid (Not expensed)	Note 10	Balance as at 1 April 2018	Less: Amount expensed in current year	Add/Less: Other	Add: Current Year advances	Balance as at 31 March 2019
		R'000	R'000	R'000	R'000	R'000
National departments		4,774	34,773	2,221	34,708	2,488
Provincial departments		0	0	0	0	0
Public entities		0	0	0	0	0
Other institutions		2,859	46,879	12,759	58,990	2,211
Total		7,633	81,652	14,980	93,698	4,699

DEPARTMENT OF POLICE
VOTE 23
NOTES TO THE ANNUAL FINANCIAL STATEMENTS
FOR THE YEAR ENDED 31 MARCH 2020

10. Receivables	Note	2019/20			2018/19		
		Current	Non-current	Total	Current	Non-current	Total
		R'000	R'000	R'000	R'000	R'000	R'000
Claims recoverable	10.1	107,108	0	107,108	79,634	0	79,634
ANNEXURE 2							
Staff debt	10.2	91,829	222,073	313,902	104,567	219,224	323,791
Fruitless and wasteful expenditure	10.3	423	20	443	153	0	153
Other debtors	10.4	15,649	4,366	20,015	13,757	3,935	17,692
Total		215,009	226,459	441,468	198,111	223,159	421,270

	Note	2019/20	2018/19
10.1 Claims recoverable		R'000	R'000
National departments	10	97,066	53,912
Provincial departments		9,412	25,408
Public entities		630	314
Total		107,108	79,634
10.2 Staff debt			
Salary related debt	10	282,335	290,827
Administration related debt		13,225	15,020
Inventory/property related debt		18,342	17,944
Total		313,902	323,791
10.3 Fruitless and wasteful expenditure			
Opening balance	10	153	193
Less amounts recovered		(106)	(154)
Less amounts written off		(109)	(20)
Transfers from note 24 Fruitless and Wasteful expenditure		505	134
Total		443	153
10.4 Other receivables			
Administration related debt	10	1,185	1,810
Salary related debt		5,292	3,450
Inventory/property related debt		13,538	12,432
Total		20,015	17,692
10.5 Debts revised			
Capital increase		3,442	4,942
Capital decrease		(23,489)	(13,539)
Interest correction		(46)	(43)
Total		(20,093)	(8,640)

DEPARTMENT OF POLICE
VOTE 23
NOTES TO THE ANNUAL FINANCIAL STATEMENTS
FOR THE YEAR ENDED 31 MARCH 2020

		Note	2019/20	2018/19
			R'000	R'000
11.	**Voted funds to be surrendered to the Revenue Fund**			
	Opening balance		1,255,419	156,080
	Transfer from statement of financial performance		754,044	1,255,419
	Paid during the year		(1,255,419)	(156,080)
	Closing balance		754,044	1,255,419
12.	**Departmental revenue to be surrendered to the Revenue Fund**			
	Opening balance		80	379
	Transfer from statement of financial performance		601,703	563,149
	Paid during the year		(601,783)	(563,448)
	Closing balance		0	80
13.	**Bank Overdraft**			
	Consolidated Paymaster General Account		0	0
	Total		0	0
14.	**Payables – current**			
	Clearing accounts	**14.1**	1,042	1,367
	Other payables	**14.2**	51,680	45,000
	Total		52,722	46,367
14.1	**Clearing accounts**	**14**		
	Description			
	Salary deductions to be paid over to institutions		1,042	1,367
	Total		1,042	1,367
14.2	**Other payables**	**14**		
	External receivables		7,122	39,318
	Debt related payables		2,346	2,244
	Government Employees Housing Scheme (GEHS)		41,181	2,596
	Service Terminations		1,031	842
	Total		51,680	45,000

Included in the amount reflected in the GEHS are amounts claimed from the savings facility.
The amounts are already paid to employees and must be cleared with journals.

DEPARTMENT OF POLICE
VOTE 23
NOTES TO THE ANNUAL FINANCIAL STATEMENTS
FOR THE YEAR ENDED 31 MARCH 2020

	Note	2019/20	2018/19
		R'000	R'000
15. Net cash flow available from operating activities			
Net surplus/(deficit) as per Statement of Financial Performance		1,355,747	1,818,568
Add back non cash/cash movements not deemed operating activities		487,176	2,072,870
(Increase)/decrease in receivables – current		(16,898)	(38,949)
(Increase)/decrease in prepayments and advances		(129)	(1,941)
Increase/(decrease) in payables – current		6,355	24,796
Proceeds from sale of capital assets		(85,536)	(86,231)
Expenditure on capital assets		2,440,586	2,894,723
Surrenders to Revenue Fund		(1,857,202)	(719,528)
Surrenders to RDP Fund/Donor		0	0
Net cash flow generated by operating activities		1,842,923	3,891,438

		2019/20	2018/19
16. Reconciliation of cash and cash equivalents for cash flow purposes			
Consolidated Paymaster General account		572,133	1,091,957
Cash on hand		15,032	14,314
Cash with commercial banks		390	1,127
Total		587,555	1,107,398

17. Contingent liabilities

Liable to	Nature		2019/20	2018/19
Housing loan guarantees	Employees	ANNEXURE 1	546	780
Claims against the department	Private parties	ANNEXURE 5	6,437,240	5,690,737
Other departments (unconfirmed balances)		ANNEXURE 3	1,002,735	768,909
Total			7,440,521	6,460,426

	2019/20	2018/19
18. Capital Commitments		
Transport assets	10,368	50,175
Computer equipment	828	693
Furniture and office equipment	1,487	650
Other machinery and equipment	31,841	30,253
Non-residential buildings	84,548	53,412
Total Commitments	129,072	135,183

19. Accruals and payables not recognised

19.1 Accruals

Listed by economic classification	30 Days	30+ Days	2019/20 Total	2018/19 Total
Goods and services	427,291	10,531	437,822	619,771
Transfers and subsidies	37,002	25,067	62,069	64,521
Capital assets	16,029	0	16,029	28,921
Other	3,810	3	3,813	3,429
Total	484,132	35,601	519,733	716,642

Listed by programme level	2019/20 R'000	2018/19 R'000
Administration	190,046	387,862
Visible Policing	271,222	240,417
Detective Services	40,532	52,219
Crime Intelligence	10,113	11,280
Protection and Security Services	7,820	24,864
Total	519,733	716,642

19.2 Payables not recognised

Listed by economic classification	30 Days	30+ Days	2019/20 Total	2018/19 Total
Goods and services	368,327	10,492	378,819	186,796
Transfers and subsidies	4,217	414	4,631	27,503
Capital assets	3,935	467	4,402	3,466
Other	50	0	50	0
Total	376,529	11,373	387,902	217,765

Listed by programme level	2019/20 R'000	2018/19 R'000
Administration	343,473	168,878
Visible Policing	30,918	30,806
Detective Services	11,271	14,137
Crime Intelligence	1,163	1,440
Protection and Security Services	1,077	2,504
Total	387,902	217,765

Included in the above totals are the following:		2019/20 R'000	2018/19 R'000
Confirmed balances with departments	ANNEXURE 3	316,028	232,612
Confirmed balances with other government entities		240,658	48,482
Total		556,686	281,094

	2019/20	2018/19
20. Employee benefits	**R'000**	**R'000**
Leave entitlement	3,113,567	2,711,069
Service bonus (Thirteenth cheque)	2,159,365	2,011,427
Capped leave commitments	4,364,409	4,627,908
Long Service Awards	205,263	22,020
Total	9,842,604	9,372,424

Negative Leave totals amounting to R104 million that represents the current leave cycle pro-rata leave credits

21. Lease Commitments

21.1 Operating leases expenditure

	Machinery and equipment	Total
2019/20	**R'000**	**R'000**
Not later than 1 year	105,381	105,381
Later than 1 year and not later than 5 years	84,295	84,295
Later than five years	0	0
Total lease commitments	189,676	189,676

Amounts disclosed as operating leases relate to photocopy machines

	Machinery and equipment	Total
2018/19	**R'000**	**R'000**
Not later than 1 year	106,646	106,646
Later than 1 year and not later than 5 years	72,084	72,084
Later than five years	0	0
Total lease commitments	178,730	178,730

21.2 Finance leases expenditure

	Machinery and equipment	Total
2019/20	**R'000**	**R'000**
Not later than 1 year	64,538	64,538
Later than 1 year and not later than 5 years	2,189	2,189
Later than five years	0	0
Total lease commitments	66,727	66,727

Amounts disclosed as finance leases relate to cell phones.

2018/19	Machinery and equipment R'000	Total R'000
Not later than 1 year	159,160	159,160
Later than 1 year and not later than 5 years	54,021	54,021
Later than five years	0	0
Total lease commitments	213,181	213,181

	2019/20 R'000	2018/19 R'000
22. Accrued departmental revenue		
Sales of goods and services other than capital assets	126	518
Fines, penalties and forfeits	20	47
Interest, dividends and rent on land	0	0
Sale of capital assets	3	1
Transactions in financial assets and liabilities	4	171
Total	153	737

22.1 Analysis of accrued departmental revenue		
Opening balance	737	1,129
Less: amounts received	737	1,129
Add: amounts recognised	153	737
Closing balance	153	737

23. Irregular expenditure		
23.1 Reconciliation of irregular expenditure		
Opening Balance	1,272,489	1,163,986
Prior period error	0	66,486
As restated	1,272,489	1,230,472
Add: Irregular expenditure - relating to prior year	68,172	16,120
Add: Irregular expenditure - relating to current year	316,908	26,193
Less: Prior year amounts condoned	0	(100)
Less: Current year amounts condoned	0	(196)
Closing balance	1,657,569	1,272,489

The reason for the increase from R1,272 billion in prior year to R1,657 billion was due to improved processes and controls to detect and confirm alleged irregular transactions in respect of contracts entered into in prior years that resulted from the non-compliance of applicable regulatory framework. In addition, the deparmtent embarked on a process to review the entire population of contracts to detect possible irregularities with the assistance of Internal Audit and an outside entity.

An assessment of atleast 80% of the full population of transactions above R300 000 was deemed to be reflective of the entire population in order to satisfy the minimum requirements.

Detail note 23 continued….

Analysis of closing balance	2019/20 R'000	2018/19 R'000
Current year	316,908	27,881
Prior years	1,340,661	1,244,608
Total	1,657,569	1,272,489

23.2 Details of current and prior year irregular expenditure – added current year (under determination and investigation)

Incident	Disciplinary steps taken/ criminal proceedings	2019/20 R'000
Reason for transgression: Non compliance: PFMA / National Treasury prescript		
No financial and/or procurement authority obtained	3	149,687
Contractual requirements not met	10	204,376
PPPFA requirements not complied with	5	26,374
Three quotations not obtained	16	740
Splitting of orders	11	3,903
Total	45	385,080

The outcome/progress on disciplinary steps instituted for these cases are summarised below:

	Number of Cases	R'000
No Disciplinary steps instituted	4	56
Under investigation	31	357,696
Awaiting outcome of disciplinary process	6	24,292
Disciplinary steps not recommended	1	2,667
Verbal Warning	1	29
Written warning	2	340
	45	385,080

Detail note 23 continued….

23.3 Details of irregular expenditure condoned

Incident	Number of cases investigated and condoned	2019/20 R'000
	0	0
	0	0
	0	0

23.4 Details of irregular expenditure recoverable (not condoned)

Incident	Number of cases investigated and condoned	2019/20 R'000
	0	0
	0	0
	0	0

23.5 Details of irregular expenditure removed - (not condoned)

Incident	Not condoned by (relevant authority)	2019/20 R'000
	0	0
	0	0
	0	0

23.6 Details of irregular expenditure written off (irrecoverable)

Incident		2019/20 R'000
	0	0
	0	0
	0	0

23.7 Details of irregular expenditure under assessment (not included in the main note)

Incident		2019/20 R'000
Non-compliance:		
No financial and/or procurement authority obtained	53	5,475
Cases under investigation and to be confirmed	12	189,433
Bid specification requirements not met	31	208,239
Bidding processes not followed	8	64,927
Approval for contractual extension not obtained	3	1,681
Contractual requirements not met	66	327,573
Approval not in accordance with the delegations	52	15,427
Deviation requirements not met	6	95,163
Remunerative work not disclosed	1	341
PPPFA requirements not complied with	78	488,604
Three quotations not obtained	240	24,291
Segregation of duties not applied	1	26
Splitting of orders	3	2,551
Tax requirements not complied with	161	13,244
	715	1,436,975

23.8 Prior period error

Nature of prior period error	Number of cases		2018/19 R'000
Relating to prior 2018/19 (affecting opening balance)	**127**	**23**	**66,486**
No financial and/or procurement authority obtained	24		65,436
Approval for contract extension not obtained	2		(1,846)
Contract requirements not met	12		899
Approval not in accordance with the delegations	10		945
PPPFA requirements not complied with	6		519
Three quotations not obtained	68		3,094
Tax compliance not complied with	3		421
Not Irregular expenditure	2		(2,982)

Detail note 23.8 continued….

Relating to 2018/19	98	**22,628**
No financial and/or procurement authority obtained	14	1,298
Bidding processes not followed	2	9,821
Contractual requirements not met	14	3,075
Approval not in accordance with the delegations	5	574
PPPFA requirements not complied with	3	5,058
Three quotation not obtained	54	2,735
Splitting of orders	2	582
Tax requirements not complied with	3	66
Not Irregular expenditure	1	(581)
	225	89,114

24. Fruitless and wasteful expenditure

24.1 Reconciliation of fruitless and wasteful expenditure

		2019/20	2018/19
		R'000	R'000
Opening balance		8,666	8,110
Prior period error		0	332
As restated		8,666	8,442
Fruitless and wasteful expenditure – relating to prior year	**24.2**	767	496
Fruitless and wasteful expenditure – relating to current year	**24.2**	153	317
Less: Amounts recoverable	**10.3**	(505)	(134)
Less: Amounts written off	**24.4**	(1,049)	(455)
Closing balance		8,032	8,666

24.2 Details of current and prior fruitless and wasteful expenditure- added current year (under determination and investigation)

Incident	Disciplinary steps / Liability investigations instituted	2018/19
		R'000
Accommodation	8	19
Air/Bus Tickets	20	94
Funeral Cost	3	6
Incorrect Goods	1	4
Incorrect Payments	7	646
Licence Fees	20	19
No Contract	1	7
Replaced locks	1	1
Service Vehicles	2	2
Storage Fees	1	17

Towing cost	2	6
Training	12	13
Vehicle Registration	34	28
Wrong Fuel	19	58
	131	920

The outcome/ progress on the liability investigations to determine liability and disciplinary steps institued is summarised below:

	Number of Incidents	R'000
No	**67**	**585**
No Discipline	1	2
No official liable	66	583
Recover and disciplined	**19**	**64**
Cautioned	1	2
Corrective counselling	2	1
Employee was sensitize	1	1
In Process DR 49/19	1	1
No steps- DR 16/2018	1	16
Recommended	5	15
Suspended without pay	1	1
Verbal Warning	4	7
Written warning	3	20
Recovered not disciplined	**33**	**221**
Recovered not disciplined	33	221
Under investigation	**8**	**26**
Under investigation	8	26
Yes	**4**	**24**
Verbal Warning	1	2
Written warning	3	22
Grand Total	**131**	**920**

24.3 Details of fruitless and wasteful expenditure recoverable

	Number of incidents	Note	2019/20 R'000
		24	
Accommodation	5		8
Air Ticket	8		34
Courier Services	1		5
Funeral Cost	6		14
Incorrect Payment	4		297
License Fees	40		26
No Contract	1		7
Service Vehicles	2		12
Storage Fees	2		19
Towing cost	2		14
Training	12		36
Vehicle Registration	9		6
Wrong Fuel	15		27
	107		505

24.4 Details of fruitless and wasteful expenditure written off

Incident		2019/20 R'000
Accommodation	8	32
Air Ticket	15	77
Funeral Cost	1	2
Incorrect Goods	1	4
Incorrect Payment	8	562
License Fees	63	37
Replaced locks	1	1
Service Vehicles	4	27
Towing cost	1	2
Training	8	15
Vehicle Registration	42	35
Venues and Facilities	1	221
Wrong Fuel	11	34
	164	1,049

24.5 Prior Period Error

Nature of prior period error		2018/19
Relating to Prior 2018/19 (affecting opening balance)		
Accommodation	2	15
Air Ticket	3	10
Incorrect Payment	2	256
License Fees	5	9
Service Vehicles	1	15
Towing cost	1	11
Training	2	12
Vehicle Registration	3	2
Wrong Fuel	2	2
	21	332
Relating to 2018/19		
Air Ticket	2	13
Courier Services	1	5
Funeral Cost	5	13
License Fees	1	0
Towing cost	1	1
Vehicle Registration	1	0
	11	**32**
Total		**364**

24.6 Details of fruitless and wasteful expenditure under investigation (not in the main note)

Incident		2019/20 R'000
Accommodation	17	509
Air Ticket	51	275
Cell Phone and Internet Cost	2	3
Funeral Cost	2	7
Goods not received	2	375
Incorrect Payment	15	705
License Fees	60	175
Municipal Rates	1	3
Service Vehicles	8	10
Storage Fees	1	46
Training	11	222
Vehicle Registration	19	28
Wrong Fuel	7	15
Interest on Civil Claims	683	3,769
	879	6,142

25. Related party transactions

List related party relationships

Private Security Industry Regulator Authority

Civilian Secretariat for Police

Independent Police Investigative Directorate

Expenditures were incurred by the Executive Authority on the Vote of SAPS.

The amounts incurred cannot be determined due to the indirect nature thereof.

26. Key management personnel

Description	No of Individuals	2019/20 R'000	2018/19 R'000
Political Office Bearers	3	5,681	4,379
Officials:			
Board of Commissioners	71	85,743	73,552
Family members of key management personnel	16	12,471	12,620
Total		103,895	90,551

27. Impairment

	2019/20 R'000	2018/19 R'000
Staff debtors	15,318	11,508
Other debtors	977	629
Fruitless and Wasteful	22	5
Total	16,317	12,142

28. Provisions

	2019/20 R'000	2018/19 R'000
Civil claims	279,689	247,679
	279,689	247,679

Provisions are in respect of not defendable pending claims raised against the department

28.1 Reconciliation of movement in provisions 2019/20

	Civil Claims	Total provisions
	R'000	R'000
Opening balance	247,679	247,679
Increase in provision	97,932	97,932
Settlement of provision	(268,407)	(268,407)
Change in provision due to change in estimation of inputs	202,485	202,485
Closing balance	279,689	279,689

Reconciliation of movement in provisions 2018/19

	Civil Claims	Total provisions
	R'000	R'000
Opening balance	236,334	236,334
Settlement of provision	(180,332)	(180,332)
Change in provision due to change in estimation of inputs	191,677	191,677
Closing balance	247,679	247,679

29. Non-adjusting events after reporting date

Material events have occurred subsequent to the financial year-end that required disclosure but no adjustment to the Annual Financial Statement (AFS), for the year ended 31 March 2020. The COVID-19 worldwide pandemic has led to several cases being reported locally in South Africa since mid-march 2020. In this regard the South African Police Service had to continue rendering and performing policing services to enforce lockdown Regulations in respect of the state of national disaster announced by the President. In response to this, pandemic significant adjustment and interventions had to be introduced in order to respond positively to curb and mitigate the outbreak of infections and the state of financial affairs of the Department that could possibly realise significant negative impact on policing. In respect of 2020/2021, National Treasury allocated an amount of R3,7 billion in addition to R1,136 billion reprioritised by the department from the baseline towards Covid-19 related expenditure.

30. Movable Tangible Capital Assets

MOVEMENT IN MOVABLE TANGIBLE CAPITAL ASSETS PER ASSET REGISTER FOR THE YEAR ENDED 31 MARCH 2020

	Opening balance	Value adjustments	Additions	Disposals	Closing balance
	R'000	R'000	R'000	R'000	R'000
HERITAGE ASSETS	1,052	0	0	0	1,052
Heritage assets	1,052	0	0	0	1,052
MACHINERY AND EQUIPMENT	21,585,937	0	2,031,444	928,897	22,688,484
Transport assets	13,837,638	0	1,593,630	684,066	14,747,202
Computer equipment	2,397,429	0	37,549	130,638	2,304,340
Furniture and Office equipment	298,597	0	25,370	4,367	319,600
Other machinery and equipment	5,052,273	0	374,895	109,826	5,317,342
BIOLOGICAL ASSETS	51,211	0	8,886	6,330	53,767
Biological assets	51,211	0	8,886	6,330	53,767
TOTAL MOVABLE TANGIBLE CAPITAL ASSETS	21,638,200	0	2,040,330	935,227	22,743,303

Movable Tangible Capital Assets under investigation

	Number	Value
Included in the above total of the movable tangible capital assets per the asset register are assets that are under investigation:		R'000
Machinery and equipment		179,999

The department is in a process on auctioning off of these Helicopters

30.1 ADDITIONS TO MOVABLE TANGIBLE CAPITAL ASSET PER ASSET REGISTER FOR THE YEAR ENDED 31 MARCH 2020

	Cash	Non-Cash	(Capital Work in Progress - current costs and finance lease payments)	Received current year, not paid (Paid current year, received prior year)	Total
	R'000	R'000	R'000	R'000	R'000
HERITAGE ASSETS	0	0	0	0	0
Heritage assets	0	0	0	0	0
MACHINERY AND EQUIPMENT					
	1,927,293	124,876	(1,639)	(19,086)	2,031,444
Transport assets	1,596,356	22,018	(1,629)	(23,115)	1,593,630
Computer equipment	6,400	31,190	0	(41)	37,549
Furniture and office equipment	23,543	2,001	(130)	(44)	25,370
Other machinery and equipment	300,994	69,667	120	4,114	374,895
BIOLOGICAL ASSETS	0	8,886	0	0	8,886
Biological assets	0	8,886	0	0	8,886
TOTAL ADDITIONS TO MOVABLE TANGIBLE CAPITAL ASSETS	1,927,293	133,762	(1,639)	(19,086)	2,040,330

Detail note 30 continued….

30.2 DISPOSALS OF MOVABLE TANGIBLE CAPITAL ASSETS PER ASSET REGISTER FOR THE YEAR ENDED 31 MARCH 2020

	Sold for (cash)	Non-cash disposal	Total	Cash Received
	R'000	R'000	R'000	R'000
HERITAGE ASSETS	0	0	0	0
Heritage assets	0	0	0	0
MACHINERY AND EQUIPMENT	464,089	464,808	928,897	85,530
Transport assets	440,193	243,873	684,066	85,400
Computer equipment	12,245	118,393	130,638	0
Furniture and office equipment	1,879	2,488	4,367	0
Other machinery and equipment	9,772	100,054	109,826	130
BIOLOGICAL ASSETS	529	5,801	6,330	6
Biological assets	529	5,801	6,330	6
TOTAL DISPOSAL OF MOVABLE TANGIBLE CAPITAL ASSETS	464,618	470,609	935,227	85,536

Movement for 2018/19

30.3 MOVEMENT IN MOVABLE TANGIBLE CAPITAL ASSETS PER ASSET REGISTER FOR THE YEAR ENDED 31 MARCH 2019

	Opening balance	Prior Period Error	Additions	Disposals	Closing Balance
	R'000	R'000	R'000	R'000	R'000
HERITAGE ASSETS	1052	0	0	0	1,052
Heritage assets	1052	0	0	0	1,052
MACHINERY AND EQUIPMENT	20,292,673	268	2,231,874	938,878	21,585,937
Transport assets	12,688,912	0	1,890,284	741,558	13,837,638
Computer equipment	2,422,494	268	49,502	74,835	2,397,429
Furniture and office equipment	275,905	0	27,846	5,154	298,597
Other machinery and equipment	4,905,362	0	264,242	117,331	5,052,273
BIOLOGICAL ASSETS	39,939		16,071	4,799	51,211
Biological assets	39,939		16,071	4,799	51,211
TOTAL MOVABLE TANGIBLE CAPITAL ASSETS	20,333,664	268	2,247,945	943,677	21,638,200

30.3.1 Prior period error

	Note	2018/19
		R'000
Nature of prior period error		
Relating to 2018/19 (affecting the opening balance)		268
Computer equipment		268
Relating to 2018/19		189
Computer equipment		203
Furniture and Office equipment		562
Other Machinery and equipment		(576)
Total		457

Detail note 30 continued….

30.4 Minor Assets

MOVEMENT IN MINOR ASSETS PER THE ASSETS REGISTER FOR THE YEAR ENDED 31 MARCH 2020

	Intangible assets	Heritage assets	Machinery and equipment	Biological assets	Total
	R'000	R'000	R'000	R'000	R'000
Opening balance	0	0	1,590,049	0	1,590,049
Additions	0	0	60,032	0	60,032
Disposals	0	0	21,398	0	21,398
TOTAL MINOR ASSETS	0	0	1,628,683	0	1,628,683

	Intangible assets	Heritage assets	Machinery and equipment	Biological assets	Total
Number of minor assets	0	0	522,083	0	522,083
TOTAL	0	0	522,083	0	522,083

Minor Assets

MOVEMENT IN MINOR ASSETS PER THE ASSET REGISTER FOR THE YEAR ENDED 31 MARCH 2019

	Intangible assets	Heritage assets	Machinery and equipment	Biological assets	Total
	R'000	R'000	R'000	R'000	R'000
Opening balance	0	0	1,505,862	0	1,505,862
Prior period error	0	0	0	0	0
Additions	0	0	110,707	0	110,707
Disposals	0	0	26,520	0	26,520
TOTAL	0	0	1,590,049	0	1,590,049

	Intangible assets	Heritage assets	Machinery and equipment	Biological assets	Total
Number of minor assets	0	0	510,565	0	510,565
TOTAL	0	0	510,565	0	510,565

Detail note 30 continued….

30.4.1 Prior period error	Note	2018/19 R'000
Nature of prior period error		
Relating to the period Prior to 2018/2019 (affecting the opening balance)		0
Machinery and Equipment		0
Relating to 2018/19		(3)
Machinery and Equipment		(3)
Total		(3)

These prior year errors are as a result of continuous reconciliations to ensure data integrity on the asset register of the department, all exceptions are then disclosed accordingly.

30.5 Movable assets written off

MOVABLE ASSETS WRITTEN OFF FOR THE YEAR ENDED AS AT 31 MARCH 2020

	Specialised military assets	Intangible assets	Heritage assets	Machinery and equipment	Biological assets	Total
	R'000	R'000	R'000	R'000	R'000	R'000
Assets written off	0	0	0	928,897	6,330	935,227
TOTAL MOVABLE ASSETS WRITTEN OFF	0	0	0	928,897	6,330	935,227

MOVABLE ASSETS WRITTEN OFF FOR THE YEAR ENDED AS AT 31 MARCH 2019

	Specialised military assets	Intangible assets	Heritage assets	Machinery and equipment	Biological assets	Total
	R'000	R'000	R'000	R'000	R'000	R'000
Assets written off	0	0	0	938,878	4,799	943,677
TOTAL MOVABLE ASSETS WRITTEN OFF	0	0	0	938,878	4,799	943,677

31 Intangible Capital Assets

MOVEMENT IN INTANGIBLE CAPITAL ASSETS PER ASSET REGISTER FOR THE YEAR ENDED 31 MARCH 2020

	Opening balance	Value adjustments	Additions	Disposals	Closing balance
	R'000	R'000	R'000	R'000	R'000
SOFTWARE	396,311	0	0	0	396,311
TOTAL INTANGIBLE CAPITAL ASSETS	396,311	0	0	0	396,311

31.1 Additions

ADDITIONS TO INTANGIBLE CAPITAL ASSETS PER ASSET REGISTER FOR THE YEAR ENDED 31 MARCH 2020

	Cash	Non-cash	(Development Work-in-Progress current costs)	Received current, not paid (Paid current year, received prior year	Total
	R'000	R'000	R'000	R'000	R'000
SOFTWARE	0	0	0	0	0
TOTAL ADDITIONS TO INTANGIBLE CAPITAL ASSETS	0	0	0	0	0

31.2 Disposals

DISPOSALS OF INTANGIBLE CAPITAL ASSETS PER ASSET REGISTER FOR THE YEAR ENDED 31 MARCH 2020

	Sold for cash	Non-cash disposal	Total disposals	Cash received Actual
	R'000	R'000	R'000	R'000
SOFTWARE	0	0	0	0
TOTAL DISPOSALS OF IMMOVABLE TANGIBLE CAPITAL ASSETS	0	0	0	0

Detail note 31 continued….

31.3 Movement for 2018/19

MOVEMENT IN INTANGIBLE CAPITAL ASSETS PER ASSET REGISTER FOR THE YEAR ENDED 31 MARCH 2019

	Opening balance	Prior Period Error	Additions	Disposals	Closing balance
	R'000	R'000	R'000	R'000	R'000
SOFTWARE	197,333	396,036	275	197,333	396,311
TOTAL INTANGIBLE CAPITAL ASSETS	197,333	396,036	275	197,333	396,311

31.3.1 Prior period error

	Note	2018/2019
		R'000
Nature of prior period error		
Relating to the period Prior to 2018/2019 (affecting the opening balance)		396,036
Software		396,036
Relating to 2018/19		275
SOFTWARE		275
Total		396,311

Immovable Tangible Capital Assets

32. MOVEMENT IN IMMOVABLE TANGIBLE CAPITAL ASSETS PER ASSET REGISTER FOR THE YEAR ENDED 31 MARCH 2020

	Opening balance	Value adjustments	Additions	Disposals	Closing balance
	R'000	R'000	R'000	R'000	R'000
BUILDINGS AND OTHER FIXED STRUCTURES	5,061,126	0	173,028	229	5,233,925
Dwellings	38,829	0	100	190	38,739
Non-residential buildings	1,809,006	0	172,928	39	1,981,895
Other fixed structures	3,213,291	0	0	0	3,213,291
TOTAL IMMOVABLE TANGIBLE CAPITAL ASSETS	5,061,126	0	173,028	229	5,233,925

Immovable Tangible Capital Assets under investigation

	Number	Value
Included in the above total of the immovable tangible capital assets per the asset register are assets that are under investigation:		R'000
Other fixed structures		

Included in the amount of non-residential building is R1 849 billion which represents the completed and in use projects to be transferred to Department of Public Works, subject to the finalisation of the requirements of section 42 of the PFMA, which was still in progress at year end.

32.1 Additions

ADDITIONS TO IMMOVABLE TANGIBLE CAPITAL ASSETS PER ASSET REGISTER FOR THE YEAR ENDED 31 MARCH 2020

	Cash	Non-cash	(Capital Work-in-Progress current costs and finance lease payments)	Received current, not paid (Paid current year, received prior year	Total
	R'000	R'000	R'000	R'000	R'000
BUILDINGS AND OTHER FIXED STRUCTURES	513,293	136,220	(479,761)	3,276	173,028
Dwellings	100	0	0		100
Non-residential buildings	513,193	136,220	(479,761)	3,276	172,928
Other fixed structures	0	0	0	0	0
TOTAL ADDITIONS TO IMMOVABLE TANGIBLE CAPITAL ASSETS	513,293	136,220	(479,761)	3,276	173,028

Detail note 32 continued….

32.2 Disposals

DISPOSALS OF IMMOVABLE TANGIBLE CAPITAL ASSETS PER ASSET REGISTER FOR THE YEAR ENDED 31 MARCH 2020

	Sold for cash	Non-cash disposal	Total disposals	Cash received Actual
	R'000	R'000	R'000	R'000
BUILDINGS AND OTHER FIXED STRUCTURES	0	229	229	0
Dwellings	0	190	190	0
Non-residential buildings	0	39	39	0
Other fixed structures	0	0	0	0
TOTAL DISPOSALS OF IMMOVABLE TANGIBLE CAPITAL ASSETS	0	229	229	0

32.3 Movement for 2018/19

MOVEMENT IN IMMOVABLE TANGIBLE CAPITAL ASSETS PER ASSET REGISTER FOR THE YEAR ENDED 31 MARCH 2019

	Opening balance	Prior Period Error	Additions	Disposals	Closing balance
	R'000	R'000	R'000	R'000	R'000
BUILDINGS AND OTHER FIXED STRUCTURES	5,157,576	(429,226)	334,259	1,483	5,061,126
Dwellings	39,181	125	848	1,325	38,829
Non-residential buildings	1,475,753	0	333,411	158	1,809,006
Other fixed structures	3,642,642	(429,351)	0	0	3,213,291
TOTAL IMMOVABLE TANGIBLE CAPITAL ASSETS	5,157,576	(429,226)	334,259	1,483	5,061,126

32.3.1 Prior period error

	Note	2018/2019
		R'000
Nature of prior period error		
Relating to the period prior to 2018/2019 (affecting the opening balance)		(429,226)
Dwellings		125
Other fixed structures		(429,351)
Relating to 2018/19		0
		0
Total		(429,226)

The prior period error on Network infrastucture assets is as a result of fair valuation of certain assets

Detail note 32 continued….

Capital Work-in-progress

32.4 CAPITAL WORK-IN-PROGRESS AS AT 31 MARCH 2020

	Note	Opening Balance 1 April 2019	Current Year WIP	Ready for use (Assets to the AR) / Contracts terminated	Closing Balance 31 March 2020
	Annexure 7	**R'000**	**R'000**	**R'000**	**R'000**
Buildings and other fixed structures		413,869	134,797	(136,152)	412,514
Intangible assets		54,006	0	0	54,006
TOTAL		467,875	134,797	(136,152)	466,520

Age analysis on ongoing projects	**Number of projects**		**2019/20**
	Planned, construction not started	Planned, construction started	Total R'000
0 to 1 year	47	12	48,327
1 to 3 year(s)	41	5	29,367
3 to 5 years	12	73	388,826
Longer than 5 years	0	0	
Total	100	90	466,520

Accruals and payables not recognised relating to Capital WIP	2019/20 R'000	2018/19 R'000
[Amounts relating to progress certificates received but not paid at year end and therefore not included in capital work-in-progress]	12,618	1,697
Total	12,618	1,697

``

CAPITAL WORK-IN-PROGRESS AS AT 31 MARCH 2019

	Note	Opening Balance	Current Year WIP	Ready for use (Assets to the AR) / Contracts terminated	Closing Balance 31 March 2019
	Annexure 7	**R'000**	**R'000**	**R'000**	**R'000**
Buildings and other fixed structures		475,973	201,818	263,922	413,869
Intangible assets		42,015	11,991	0	54,006
TOTAL		517,988	213,809	263,922	467,875

Age analysis on ongoing projects	**Number of projects**		**2018/19**
	Planned, construction not started	Planned, construction started	Total R'000
0 to 1 year	11	18	15,314
1 to 3 year(s)	17	2	10,017
3 to 5 years	17	112	442,544
Longer than 5 years	0	0	0
Total	45	132	467,875

32.5 Immovable assets written off

IMMOVABLE ASSETS WRITTEN OFF FOR THE YEAR ENDED AS AT 31 MARCH 2020

	Buildings and other fixed structures	Heritage assets	Land and subsoil assets	Total
	R'000	**R'000**	**R'000**	**R'000**
Assets written off	229	0	0	229
TOTAL IMMOVABLE ASSETS WRITTEN OFF	229	0	0	229

IMMOVABLE ASSETS WRITTEN OFF FOR THE YEAR ENDED AS AT 31 MARCH 2019

	Buildings and other fixed structures	Heritage assets	Land and subsoil assets	Total
	R'000	R'000	R'000	R'000
Assets written off	1,483	0	0	1,483
TOTAL IMMOVABLE ASSETS WRITTEN OFF	1,483	0	0	1,483

32.6 S42 Immovable assets

	No. of Assets	Value of Assets
		R'000
Assets to be transferred in terms of S42 of the PFMA-2019/20		
Building and other fixed structures	1,250	1,849,166
Non-residential buildings	1,250	1,849,166
S42 Immovable assets		
Assets to be transferred in terms of S42 of the PFMA-2018/19		
Building and other fixed structures	1,138	1,713,014
Non-residential buildings	1,138	1,713,014

33 Prior period errors

	Note	Amount before error correction	2018/19 Prior period error	Restated amount
		R'000	R'000	R'000
33.1 Correction of prior period errors				
Other: (e.g. Irregular expenditure, fruitless and wasteful expenditure, etc.)				
Contingent liabilities		6,790,335	(1,099,598)	5,690,737
Irregular expenditure		1,183,375	89,114	1,272,489
Fruitless and wasteful expenditure		8,302	364	8,666
Provisions		247,679	(10,790)	236,889
Movable Tangible Capital Assets		21,585,480	457	21,585,937
Minor Assets		1,590,052	(3)	1,590,049
Intangible assets		0	396,311	396,311
Immovable Tangible Capital Assets		5,490,352	(429,226)	5,061,126
Net effect		36,895,575	(1,053,371)	35,842,204

DEPARTMENT OF POLICE
VOTE 23
ANNEXURES TO THE ANNUAL FINANCIAL STATEMENTS
FOR THE YEAR ENDED 31 MARCH 2020

ANNEXURE 1

STATEMENT OF FINANCIAL GUARANTEES ISSUED AS AT 31 MARCH 2020 - LOCAL

Guarantee in respect of and Guarantor institution	Original Guaranteed capital amount	Opening balance 1 April 2019	Current year adjustments to prior year closing balances	Guarantee draw downs during the year	Guarantee Repayments/ cancelled/ Released/ Reduced during the year	Closing balance 31 March 2020
	R'000	R'000	R'000	R'000	R'000	R'000
Housing						
STANDARD BANK		376	0	0	202	174
NEDBANK PTY LTD		0	0	87	0	87
ABSA		404	0	0	119	285
Total		780	0	87	321	546

DEPARTMENT OF POLICE
VOTE 23
ANNEXURES TO THE ANNUAL FINANCIAL STATEMENTS
FOR THE YEAR ENDED 31 MARCH 2020

ANNEXURE 2

CLAIMS RECOVERABLE

Government Entity	Confirmed balance outstanding		Unconfirmed balance outstanding		TOTAL	
	31/03/2020	31/03/2019	31/03/2020	31/03/2019	31/03/2020	31/03/2019
	R'000	R'000	R'000	R'000	R'000	R'000
Departments						
The Presidency	0	0	499	423	499	423
Department of Defence	78	145	104	1	182	146
Department of Agriculture, Forestry and Fisheries	0	1,433	75	118	75	1,551
Department of Arts and Culture	0	299	19	131	19	430
Civilian Secretariat for Police	0	0	384	421	384	421
Department of Communications	5	440	84	167	89	607
Department of Correctional Services	0	0	74	481	74	481
Department of Cooperative Governance	0	0	153	137	153	137
Department of Basic Education	5	3	126	118	131	121
Department of Higher Education and Training	1	1	9	27	10	28
Department of Environmental Affairs	14	401	63	237	77	638
Department of Energy	0	99	56	0	56	99
Department of International Relation & Cooperation	6	0	34,330	33,934	34,336	33,934
Department of Health	134	97	303	298	437	395
Department of Home Affairs	13	0	6	541	19	541
Department of Human Settlement	0	27	170	74	170	101
Department of Justice and Constitutional Development	34,109	0	992	1,994	35,101	1,994
Department of Labour	0	507	134	91	134	598
Department of Rural Development and Land Reform	0	0	135	252	135	252
Parliament : National Assembly	0	42	229	227	229	269
Parliament : National Council of Provinces	0	0	213	146	213	146
Department of Public Enterprises	0	23	18	91	18	114
Department of Public Works	345	0	2,013	2,145	2,358	2,145
Department of Social Development	12	312	239	0	251	312
Department of Trade and Industry	28	16	311	524	339	540
Department of Transport	0	0	52	168	52	168
Department of Water and Sanitation	0	36	61	108	61	144
Department of Mineral Resources	0	86	136	177	136	263
Department of Public Service and Administration	0	0	212	355	212	355
Department of Science and Technology	0	0	1	2	1	2

DEPARTMENT OF POLICE
VOTE 23
ANNEXURES TO THE ANNUAL FINANCIAL STATEMENTS
FOR THE YEAR ENDED 31 MARCH 2020

Annexure 2 continues

Department of Sport and Recreation South Africa	18	0	0	49	18	49
Statistics South Africa	0	0	32	53	32	53
Department of Telecommunication and Postal Services	0	4,650	1,428	1,258	1,428	5,908
National Prosecuting Authority (Justice)	0	14	8	0	8	14
National Treasury	19,407	12	0	84	19,407	96
South African social security agency	0	0	0	40	0	40
Department of Small Business	0	23	9	0	9	23
Public Protector	0	88	2	2	2	90
Planning Monitoring and Evaluation	0	0	1	106	1	106
South African Security Services (SASS)	0	0	130	178	130	178
Department of Tourism	0	0	80	0	80	0
SUB TOTAL	**54,175**	**8,754**	**42,891**	**45,158**	**97,066**	**53,912**

Provinces						
OFFICES OF THE PREMIERS	34	19,301	2,846	1,815	2,880	21,116
MEC SAFETY AND SECURITY	0	0	182	207	182	207
KWAZULU NATAL: PROVINCIAL GOVERNMENT	28	70	1,123	666	1,151	736
FREE STATE PROV: PROVINCIAL GOVERNMENT	36	12	184	268	220	280
WESTERN CAPE PROV: PROVINCIAL GOVERNMENT	9	22	247	518	256	540
LIMPOPO PROV: PROVINCIAL GOVERNMENT	2,328	45	394	171	2,722	216
EASTERN CAPE PROV: PROVINCIAL GOVERNMENT	306	0	330	287	636	287
GAUTENG PROV: PROVINCIAL GOVERNMENT	0	189	597	121	597	310
NORTH WEST PROV: PROVINCIAL GOVERNMENT	0	30	38	140	38	170
MPUMALANGA: PROVINCIAL GOVERNMENT	0	0	228	774	228	774
NORTHERN CAPE: PROVINCIAL GOVERNMENT	31	0	471	772	502	772
SUB TOTAL	**2,772**	**19,669**	**6,640**	**5,739**	**9,412**	**25,408**

Other Entities	Confirmed balance outstanding		Unconfirmed balance outstanding		TOTAL	
	31/03/2020	31/03/2019	31/03/2020	31/03/2019	31/03/2020	31/03/2019
	R'000	R'000	R'000	R'000	R'000	R'000
National Intelligence Agency	0	0	6	3	6	3
SA Social security Agency	0	244	221	0	221	244
South African Revenue Services	0	19	19	0	19	19
Road Traffic Management Corporative	0	48	384	0	384	48
SUB TOTAL	**0**	**311**	**630**	**3**	**630**	**314**
TOTAL	**56,947**	**28,734**	**50,161**	**50,900**	**107,108**	**79,634**

ANNEXURE 3

INTER– GOVERNMENT PAYABLES

GOVERNMENT ENTITY	Confirmed balance outstanding		Unconfirmed balance outstanding		TOTAL		Cash in transit at year end 2019/20*	
	31/03/2020	31/03/2019	31/03/2020	31/03/2019	31/03/2020	31/03/2019	Payment date up to six (6) working days before year end	Amount
	R'000	R'000	R'000	R'000	R'000	R'000		R'000
DEPARTMENTS								
Current								
International Relations and Cooperation	6079	6,218	3,395	4,976	9,474	11,194		
Justice and Constitutional Development	152,281	113,883	159,816	158,415	312,097	272,298	3/31/2020	6,297
Government Communication and Information System	5,436	0	0	0	5,436	0		
KZN Prov Government Social Development	0		1	1	1	1		
MP Provincial Government	14	0	1	0	15	0		
Public Works	152,212	112,505	235,454	0	387,666	112,505		
Civilian Secretariat for Police	0	0	12	12	12	12		
National Intelligence Agency	6	6	0	0	6	6		
TOTAL	**316,028**	**232,612**	**398,679**	**163,404**	**714,707**	**396,016**		**6,297**
OTHER GOVERNMENT ENTITY								
Current								
State Information Technology Agency	240,058	48,157	604,056	605,505	844,114	653,662	3/31/2020	8,881
South African Post Office	600	325			600	325		
TOTAL	**240,658**	**48,482**	**604,056**	**605,505**	**844,714**	**653,987**		**8,881**
TOTAL INTERGOVERNMENTAL	**556,686**	**281,094**	**1,002,735**	**768,909**	**1,559,421**	**1,050,003**		**15,178**

DEPARTMENT OF POLICE
VOTE 23
ANNEXURES TO THE ANNUAL FINANCIAL STATEMENTS
FOR THE YEAR ENDED 31 MARCH 2020

ANNEXURE 4

STATEMENT OF GIFTS, DONATIONS AND SPONSORSHIPS RECEIVED

NAME OF ORGANISATION	NATURE OF GIFT, DONATION OR SPONSORSHIP	2019/2020 R'000	2018/2019 R'000
Received in cash			
		0	0
Received in kind			
Public & Businesses	Cleaning	30	0
Public & Businesses	Clothing	387	0
Public & Businesses	Computer Equipment	113	4
Public & Businesses	Dogs	81	119
Public & Businesses	Furniture & Equipment	92	127
Public & Businesses	Garden Equipment	0	1
Public & Businesses	Machinery and Equipment	3	213
Public & Businesses	Maintenance & Repairs	0	8
Public & Businesses	Medical Equipment	22	4
Public & Businesses	Venue, Cell phones, Bags, Trophies, Vehicle for the winner, Housing project for community member,etc.(Excellence awards and Golf day)	2711	2420
Public & Businesses	Accommodation, T-Shirts, Water,etc. (National Police day)	6169	6721
Public & Businesses	Sim card	1	0
Public & Businesses	Stationery	461	1416
Public & Businesses inc foreign country	Travel & Accommodation	4789	1385
Public & Businesses	Trophies	42	0
Public & Businesses	Vouchers	30	0
Public & Businesses	Weapons and Ammunition	18	0
Public & Businesses	Refreshments	0	1
Public & Businesses	Buildings	0	108
Subtotal		14,949	12,527
TOTAL		14,949	12,527

ANNEXURE 5

STATEMENT OF CONTINGENT LIABILITIES AS AT 31 MARCH 2020

NATURE OF LIABILITY	Opening balance 1 April 2019	Closing balance 31 March 2020
	R'000	R'000
Claims against the department		
Claims against the department	5,690,737	6,437,240
Total	**5,690,737**	**6,437,240**

Claims against the Department is calculated based on a best estimate of average claims paid.

STATEMENT OF THE RECOVERABILITY OF ACCUMULATED PAYMENTS MADE AS AT 31 MARCH 2020

Nature of recoverability	Opening Balance 2019/04/01	Current year adjustments to prior year balances	Movement during the year			
			Detail of finalized transactions	Amount finalized	New transactions Amount	Closing Balance 3/31/2020
	R'000	R'000	R'000	R'000	R'000	R'000
Civil claims against the Department	83,313	987	Written off (TR 11.4 & 12)	233	579,484	232,255
			Claim by the Department	6,083		
			Waiver of claims (TR 12.7.3)	425,073		
			MERITS OF LOSS CANNOT BE DETERMINED	140		
Total	83,313	987		431,529	579,484	232,255

ANNEXURE 6

INVENTORY

INVENTORIES FOR THE YEAR ENDED 31 MARCH 2020

	Note	Ammunition	Uniform	TOTAL
INVENTORY		**R'000**	**R'000**	**R'000**
Opening balance		91,192	307,006	398,198
Add/(Less): Adjustments to prior year balances		0	0	0
Add: Additions/Purchases - Cash		59,172	155,794	214,966
Add: Additions - Non-cash		0	0	0
(Less): Disposals		0	(742)	(742)
(Less): Issues		(72,011)	(197,492)	(269,503)
Add/(Less): Received current, not paid (Paid current year, received prior year)		0	0	0
Add/(Less): Adjustments		780	3,897	4,677
Closing balance		79,133	268,463	347,596

INVENTORIES FOR THE YEAR ENDED 31 MARCH 2019

	Note	Ammunition	Uniform	TOTAL
INVENTORY		**R'000**	**R'000**	**R'000**
Opening balance		126,262	360,157	486,419
Add/(Less): Adjustments to prior year balances		0	0	0
Add: Additions/Purchases - Cash		42,067	227,811	269,878
Add: Additions - Non-cash		0	13	13
(Less): Disposals		(1,112)	(2,017)	(3,129)
(Less): Issues		(77,751)	(284,864)	(362,615)
Add/(Less): Received current, not paid (Paid current year, received prior year)		0	0	0
Add/(Less): Adjustments		1,726	5,906	7,632
Closing balance		91,192	307,006	398,198

DEPARTMENT OF POLICE
VOTE 23
ANNEXURE TO THE ANNUAL FINANCIAL STATEMENTS
FOR THE YEAR ENDED 31 MARCH 2020

ANNEXURE 7

Movement in Capital Work-in-Progress

MOVEMENT IN CAPITAL WORK-IN-PROGRESS FOR THE YEAR ENDED 31 MARCH 2020

	Opening balance	Current Year Capital WIP	Ready for use (Asset register) / Contract terminated	Closing balance
	R'000	R'000	R'000	R'000
BUILDINGS AND OTHER FIXED STRUCTURES	413,869	134,797	(136,152)	412,514
Dwellings	0	0	0	0
Non-residential buildings	413,869	134,797	(136,152)	412,514
Other fixed structures	0	0	0	0
COMPUTER SOFTWARE	54,006	0	0	54,006
Computer Software	54,006	0	0	54,006
TOTAL	467,875	134,797	(136,152)	466,520

Movement in Capital Work-in-Progress

MOVEMENT IN CAPITAL WORK-IN-PROGRESS FOR THE YEAR ENDED 31 MARCH 2019

	Opening balance	Prior period errors	Current Year Capital WIP	Ready for use (Asset register) / Contract terminated	Closing balance
	R'000	R'000	R'000	R'000	R'000
BUILDINGS AND OTHER FIXED STRUCTURES	475,973		201,818	(263,922)	413,869
Dwellings	0		0	0	0
Non-residential buildings	475,973	0	201,818	(263,922)	413,869
Other fixed structures	0		0	0	0
COMPUTER SOFTWARE	42,015	0	11,991	0	54,006
Computer Software	42,015	0	11,991	0	54,006
TOTAL	517,988	0	213,809	(263,922)	467,875

ANNEXURE 8

INTER-ENTITY ADVANCES PAID (note 9.1)

ENTITY	Confirmed balance outstanding		Unconfirmed balance outstanding		Total	
	31/03/2020	31/03/2019	31/03/2020	31/03/2019	31/03/2020	31/03/2019
	R'000	R'000	R'000	R'000	R'000	R'000
NATIONAL DEPARTMENTS						
Government Communication and Information System	5,591	0	0	0	5,591	0
International Relations and Cooperation	0	2,488	0	0	0	2,488
Subtotal	**5,591**	**2,488**	**0**	**0**	**5,591**	**2,488**
Other Institutions						
Police Actions	645	937	0	0	645	937
Temporary Advances	16	30	0	0	16	30
Purchases	4,516	1,244	0	0	4,516	1,244
Subtotal	**5,177**	**2,211**	**0**	**0**	**5,177**	**2,211**
TOTAL	**10,768**	**4,699**	**0**	**0**	**10,768**	**4,699**

ANNEXURE 9

STATEMENT OF GIFTS, DONATIONS AND SPONSORSHIPS MADE AND REMISSIONS, REFUNDS AND PAYMENTS MADE AS AN ACT OF GRACE

NATURE OF GIFT, DONATION OR SPONSORSHIP	2019/2020	2018/2019
(Group major categories but list material items including name of organisation)	R'000	R'000
Made in kind		
Clothing	0	3
Computer Equipment	452	1960
Dogs	887	686
Furniture & Equipment	15	7
Medical Equipment	304	29
Printers	0	105
Uniform	30	3
Tyres	0	476
Weapons & Ammunition	169	33
Stationery	6	0
TOTAL	1,863	3,302

ENDNOTES

1. Duties for missions in South Sudan and Sudan, include the protection of civilians, confidence and capacity building patrols in the Internally Displaced Persons Camps and Villages, monitoring and mentoring the local police on accepted standards of policing and monitoring crime investigation and security within the camps.

2. Members that died, as a result of a motor vehicle accident are not included in the Roll of Honour, from 2017/2018, due to a change in the Policy on Death Grant for Employees of the SAPS.

3. The projected fixed establishment, for 2019/2020 is aligned to the 2019 Estimates of National Expenditure.

4. The performance indicator includes capital works and planned maintenance.

5. The methodology followed and the percentages relating to IS/ICT performance indicators are calculated according to the progress, as per project plan.

6. The target for 2019/2020 has been adjusted, due to the existence of significant dependencies that may impact negatively on the achievement of deliverables, including: protracted Supply Chain Management procurement processes (SAPS and SITA), delays in the issuing of certificates of occupancy and the magnitude of this project (especially cabling) is extensive, especially where civil works are required.

7. The areas prioritised, for 2019/2020 are POP, Detective Service: Family Violence, Child Protection and Sexual Offences and Organised Crime, as well as Crime Intelligence.

8. The following pension funds are included: GEPF, South African Local Authority, Diepmeadow Pension Fund, Soweto City Council Pension Fund and Alexandra City Council Pension Fund.

9. A report, which is utilised as a monitoring tool to determine the status of any service termination, from police station level, up to finalisation of the pension claim.

10. The SAPS is engaged in a process of selecting new generation BRVs for purchase and can therefore, not provide an actual number for 2019/2020 as of yet.

11. Stock kept at the provisioning store to meet the demand, in times when delays in supply are experienced.

12. The specific sites that have been prioritised per performance indicator have been identified in consultation with provincial offices and will be included in performance reports.

13. The duration of a forensic investigation are those performed within the SAPS by the Internal Audit Component and varies, in accordance with the subject of the investigation.

14. The actual number of "intervention standards executed", is dependent on Inspectorate's capability, resulting from the implementation of the approved rationalised structure of the Inspectorate at national and provincial levels.

15. A graduate intern is a person who has successfully completed a formal qualification, in terms of the National Qualifications Framework Act, 2008 (Act No 67 of 2008) and requires practical work experience to increase his/her opportunities for a permanent position in government or the private sector.

16. A student intern is a person who is currently studying towards a higher education qualification and must undertake a period of work experience, in order to fulfil the requirements of the qualification.

17. An artisan is a person who has been certified as competent to perform a listed trade, in accordance with the Skills Development Act, 1998 (Act No 97 of 1998), as amended. An artisan learner is a person undergoing a formal learning programme, which include structured work experience components in a listed trade and includes a trade test, in respect of that trade.

18. The performance indicators on the reduction of crime should not be viewed as a sole police performance measurement, as this does not lie within the direct control of the SAPS. Contribution towards the reduction of crime ought to be noted as a transversal performance indicator across the different spheres of Government, thereby striving towards the achievement of Outcome 3, to ensure that all people in South Africa are and feel safe.

19. The targeted percentage reduction of serious crime has been rounded off to two decimal points, which has a negligible impact on the numerical value. The planned targets for crime-related indicators was revised, as per the Addendum to the APP, 2019/2020 and is based on the SONA target of a 50% reduction, over 10 years.

20. The 30 high crime weight police stations for the number of reported serious crimes have been identified for the financial year and remained in effect for the duration of the financial year.

21. The 30 high crime weight police stations for the number of reported contact crimes have been identified for the financial year and remained in effect for the duration of the financial year.

22. The indicator will be reported on under Programme 2. The Detective Services capability, at all levels, will also include actions to initiate the recovery of stolen/lost illegal firearms, in Annual Operational Plans.

23. The reported performance of the 2016/2017 and 2017/2018 financial years was influenced by a firearm audit conducted in the SAPS 13 Stores. During this audit, it was found that not all firearms in the SAPS 13 Stores were circulated as recovered. This oversight was corrected by circulating the firearms as recovered on the EFRS. However, this has incorrectly inflated the recovery rate of the 2016/2017 and 2017/2018 financial years, as the recovery date on the source document reflect the date of circulation and not the recovery date. For this reason, it was decided that the target for the 2019/2020 financial year be set to the last correctly recorded figure, which was 2014/2015 of 5 193 firearms recovered.

24. The indicator will be reported on under Programme 2. The Detective Services capability, at all levels, will also include actions to initiate the recovery of stolen/lost SAPS firearms, in Annual Operational Plans.

25. This indicator has been revised from "Percentage of escapees from police custody versus arrested and charged" to "Number of escapees from police custody". The reason for the revision is that not all persons arrested by the SAPS are "arrested and charged" on the CAS/ICDMS, which is used to calculate the ratio of escapes, resulting in a skewed reflection of the actual achievement.

26. The measurement, in the 2016/2017 financial year, included; firearm licenses; competencies and renewals. From 2017/2018, the focus shifted to new firearm licenses only.

27. A police station is deemed capable of rendering a victim-friendly service if it meets two of the following three requirements: First that at least 50% of the its operational members must have completed one or more of the following training courses: Victim Empowerment Learning Programme, Domestic Violence Learning Programme, Vulnerable Children Learning Programme and First Responders to Sexual Offences Learning Programme. Second, that it must have a dedicated VFR or if space does not allow for that, specific alternate arrangements must be made to provide for privacy during statement taking in cases of gender-based or intimate violence. Third, that a station order has been issued to direct the management of victim services at the police station, including referral to other service providers, management of the VFR and/or the alternate arrangements referred to above, and where applicable, of volunteers.

28. The set criteria for the implementation of the four pillars of the Rural Safety Strategy are as follows: a functional Rural Safety Priority Committee at provincial and cluster levels; a permanent member must be appointed as a Rural Safety Coordinator (may be the sector commander appointed in the rural sector), to coordinate all policing activities and actions in the policing precinct; a joint rural safety plan must be implemented to address crime in the rural community in an integrated manner; rural safety meetings must be facilitated with the rural community to create awareness and enhance access, response and service delivery (CPF or sector forum may be used for this purpose); a capability must be available to respond to incidents in the rural community, as well as to plan and execute joint crime prevention operations, to address crime in the rural community, including stock theft (visible policing members, TRTs, POP Unit and/or Stock Theft Unit, in accordance with the approved SOP); and joint crime prevention programmes/projects and operations must be implemented in cooperation with all role players, to address contributing factors which influence crime, in general (government, non-governmental organisations and the rural community).

29. The target of 65 comprises five community outreach campaigns conducted, per province and 20 at national level. National community outreach campaigns refer to matters of national importance, which involve the Minister and/or the Deputy Minister and the National Commissioner or a senior officer duly nominated to represent him. At provincial level a community outreach campaign refers to public education and/or community engagement, relating to policing or crime-related issues initiated by the provincial commissioner, Corporate Communication and Liaison or Visible Policing, which involves the Member of the Executive Council of Community Safety and/or the provincial commissioner or a senior officer, duly nominated to represent him/her. Public education and/or community engagement relating to policing or crime-related issues must be planned and budgeted for.

30. One school in KwaZulu-Natal, namely, Khulabebuka Secondary School, closed after it had been identified as a priority school. As a result, the school was discounted from the planned target and the School Safety Programme was not implemented.

31. Reporting will only focus on the number of schools identified to implement the School Safety Programme, for 2019/2020. The collective total number of schools implementing the School Safety Programme (i. e. the current year plus those that have implemented in previous years) will be reported on in the Annual Operational Plan of the Visible Policing Division.

32. Valuable and/or dangerous government cargo, refer to the protection duties performed by the National Mobile Operations Units, in Cape Town and Pretoria, relating to the South African Reserve Bank, South African Bank Notes, Denel, Koeberg, the SAPS FSL, the SAPS Supply Chain Management, the Department of Environmental Affairs, the National Treasury, the Independent Electoral Commission and Parliament.

33. Figures for serious crime, crimes against women and children and crimes dependent on police action for detection, include unfounded charges (when evidence collected during investigation suggests that a crime did not occur). These figures differ from the figures published in the "Annual Crime Report, 2019/2020". The reason for the inclusion is that, although there are no elements of crime, state resources have been utilised to visit the alleged crime scene to register a case on the CAS and to investigate the case.

34. A hit occurs when the SAPS receives a notification at the port of entry that a wanted person for whom a warrant of arrest has been issued or a vehicle circulated as stolen/robbed, moves through a port of entry. The hit will specify the action required, for instance, wanted for arrest (warrant of arrest available), monitoring of the movement of a person and searching of a person or possible stolen/robbed vehicle.

35. The Systems, controlled by the Department of Home Affairs, are interfaced with the SAPS CAS Circulation System. Only two land ports operate on the MCS, while 51 land ports, all 10 international airports and three seaports operate on the EMCS. City Deep, the only dry port, does not operate on either systems, as it profiles containers and cargo, which are destined for the RSA and neighbouring countries, in accordance with manifests.

36. Profiling is used as a tool, based on skills and experience, to narrow down the possibility of criminal activities, by using various methods, such as the identifying and analysing of trends and routes, according to the Crime Pattern Analysis and Crime Threat Analysis.

37. Cargo and containers are profiled, in accordance with manifests.

38. Inspections conducted on the boundary of an area surrounding the structures of the port.

39. Incidents that cannot be classified as crowd management incidents, but pertains to violence, e. g. taxi violence, revenge attacks, gang violence, etc.

40. Includes the rendering of support to other SAPS Components or Divisions, such as assisting the detectives in the search for, apprehending and escorting of dangerous and violent suspects, assisting PSS, in protecting VIPs by controlling perimeters, the protection of NKPs, managing crowds and providing tactical reserves.

41. Valuable cargo can be defined as a material or monetary value with considerable importance or quality, such as cash currency, gold bullion and currency printing material.

42. Dangerous cargo can be defined as cargo causing danger, risk or harm, such as explosives and ammunition, nuclear material, firearms and drugs.

43. Peace mission deployments refer to the reporting of deployment in peace missions (peace-making, peace keeping, peace building, preventative diplomacy, peace enforcement) of SAPS Act members, sanctioned by cabinet, as requested by the multilateral organisations (UN through the UN Security Council Resolution, AU through the Peace and Security Council Resolution and the SADC Organ Politics, Defence and Security Council Summit). The terms of reference for such a deployment, is outlined on the respective resolutions. International Interventions Deployments, refers to all deployments of SAPS members outside the borders of the RSA, sanctioned either by the National Commissioner as delegated by the Minister of Police, by the South African Police Service Act, 1995 (Act No 68 of 1995), the Minister of Police, through a Cabinet Minute, as requested through a country to country bi-lateral agreement or by regional arrangement (SADC). The activities will include, but are not limited to, cross-border operations and election observer missions.

44. Persons previously linked to a crime.

45. An operation, in accordance with Section 252A of the Criminal Procedure Act, 1977 (Act No 51 of 1977).

46. Cyber-related crime case files refer to internet-related fraud and contravention of the Electronic Communications and Transactions Act, 2002 (Act No 25 of 2002). The "case files finalised" refers to case files with an element of cyber-related crime which the Cybercrime Section has fully investigated or provided specialised investigative support.

47. Prior to 2019/2020, trial-ready case dockets for fraud and corruption in the public and private sector where officials are involved, was measured collectively as a strategic performance indicator.

48. Serious corruption includes the misuse of a public or private office or position or resources with corrupt intent and may include an act of bribery, nepotism, extortion, fraud and theft. This includes but is not limited to, offences under the Prevention and Combating of Corrupt Activities Act, 2004.

49. The public sector refers to entities owned or managed by the Government.

50. The private sector refers to businesses, which are owned, managed and controlled by individuals or an individual that is acting in a private capacity.

51. Refers to acts contravening the Prevention and Combating of Corrupt Activities Act, 2004. Corruption includes the misuse of a public or private office or a position held in such an office, as well as the misuse of resources with a corrupt intent. Serious corruption refers to those cases investigated by the DPCI and is determined by the mandate of the DPCI.

52. The detection rate is an indication of successful investigations and withdrawals before trial, in relation to the active investigative case workload. Successful investigations and withdrawals consist of the positive identification, arrest and charging of a perpetrator, investigations withdrawn by the complainant before the perpetrator is charged and investigations closed as unfounded. Active investigative workload consists of offences under investigation by the DPCI and active investigations carried over from the previous financial year to the current financial year. Conviction rate relates to a guilty verdict of an accused on the charges he or she has been accused of. A conviction can be secured, by means of an admission of guilt by the accused, a plea of guilty by an accused or a guilty verdict by the court. Conviction rate refers to the number of charges on which an accused has been found guilty of, against the number of charges he or she has been charged with.

53. Network operations are conducted by Crime Intelligence at provincial and cluster levels, to gather intelligence/information, to better inform a situation or to generate intelligence on criminal organisations, groups or individuals that could be used evidentially in a court of law.

54. The performance indicator measures the output/outcome of the operation against intelligence and investigative objectives that were set during the approval of the operation.

55. Cross-border operations are conducted to neutralise transnational crime threats and physically reduce transnational crimes committed in the countries of the participating law enforcement agencies.

56. National and transnational law enforcement agencies request the SAPS to facilitate the arrest of identified suspects for extradition and trial in the requesting country.

57. The performance indicator is request-based, therefore, it is difficult to express the target as an actual number.

58. An ICT security assessment is performed to identify the current security posture of relevant SAPS information systems.

59. A physical security assessment is performed to identify the current security posture of relevant SAPS facilities.

60. Security awareness programmes refer to security awareness activities which are performed to raise security consciousness, in line with the Information Security Regulatory Framework. The purpose is to continuously sensitise SAPS personnel who work in sensitive/classified environments, with regard to information security legislation/policies/directives, so as to increase compliance levels and minimise security breaches.

61. The performance indicator is request-based, therefore, a number cannot be provided.

62. The performance indicator is request-based, therefore, a number cannot be provided.

63. The funding was not paid to the SAPS. All funding are managed by the EU Project Management Unit.

64. Action plans to clear/resolve compliance issues and annual financial statement audit qualification matters are in place. Progress made in clearing/resolving these issues/matters will be included, from the 2020/2021 financial year.

www.saps.gov.za