**36/1/4/1/2017**

**NATIONAL ASSEMBLY**

**FOR WRITTEN REPLY**

**QUESTION 166**

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**(INTERNAL QUESTION PAPER NO 2- 2017)**

**166. Mr K P Robertson (DA) to ask the Minister of Police:**

Does the SA Police Service have a mandate to initiate lifestyle audits on citizens of the country; if not, what is the position in this regard; if so, (a) what legislation is applicable in this process, (b) what requisite legislation needs to be in place before such an instruction is given, (c) which person and/or department is responsible for (i) approving the lifestyle audit and (ii) investigating the lifestyle audit and (d) what procedural steps has his department taken to implement a lifestyle audit?

NW177E

**REPLY:**

No.

1. The Prevention of Organised Crime Act, 1998 (Act No. 121 of 1998) provides for asset forfeiture in respect of the proceeds of crime or instrumentalities of crime. The Service may conduct investigations where a person has allegedly benefited from crime. The outcome of such investigations must be reported to the Asset Forfeiture Unit of the National Prosecuting Authority to facilitate the forfeiture of assets.
2. Section 23 of the Prevention and Combating of Corrupt Activities Act, 2004 (Act No. 12 of 2004) provides that the National Director of Public Prosecutions (“NDPP”), may apply to a judge for an investigative direction in respect of a person who maintains a standard of living which is not proportionate to his or her past or present income or assets.  If the application is authorised, the NDPP may question the suspect or any other person to produce evidence or to answer questions.
3. (i)See above.

(ii)   Not applicable.

1. Not applicable.