



Republic of Namibia
Annotated Statutes

REGULATIONS

REGULATIONS SURVIVING IN TERMS OF

Police Act 19 of 1990
section 45(2)

Regulations for the Police Reserve

RSA Government Notice R.1931 of 1973

[\(RSA GG 4053\)](#)

came into force on date of publication: 19 October 1973

These regulations were originally made in terms of section 33 of the Police Act 7 of 1958, which was repealed by the Police Act 19 of 1990. Pursuant to section 45(2) of the Police Act 19 of 1990, the regulations are deemed to have been made under that Act.

as amended by

RSA Government Notice R.2147 of 1973 [\(RSA GG 4081\)](#)

came into force on date of publication: 16 November 1973

RSA Government Notice R.1595 of 1975 [\(RSA GG 4824\)](#)

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RSA Government Notice R.140 of 1976 [\(RSA GG 4972\)](#)

came into force on date of publication: 30 January 1976

RSA Government Notice R.2333 of 1978 [\(RSA GG 6224\)](#)

came into force on date of publication: 24 November 1978

ARRANGEMENT OF REGULATIONS

- 1-2. Definitions
3. Organisation
4. Functions and duties of the police reserve
5. Delegation of the powers of the commissioner
6. Orders and instructions
7. Members to place all their time at the disposal of the state
8. Ranks, official designations, precedence and seniority in rank

**REGULATIONS
Police Act 19 of 1990**

Regulations for the Police Reserve

9. Enrolment and classification
10. Certificates of identity
11. Obligations and exemptions
12. Dress, uniform and equipment
- 13-14. Salaries
15. Subsistence allowance
16. Official journeys and transport
17. Medical examination
18. Vaccination and inoculation
19. Medical and hospital treatment: members
20. Dental treatment
21. Leave of absence
22. Special sick leave
23. Offences against duty and discipline
24. Trial by a commissioned officer under section 9(2) of the Act
25. Appeal against conviction and sentence and review
26. Conduct sheets
27. Alleged misconduct of officers of the police reserve under section 10 of the Act
28. Administrative enquiries
29. Deficiency, loss, damage or expense: liability for and recovery of
30. Obedience
31. Redress of wrongs
32. Home and work telephone numbers
33. Abandoned, lost or unclaimed property
34. Departures in time of war or national emergency

**SCHEDULE A
CERTIFICATE OF IDENTITY**

[Several provisions of these regulations reference section 34A of the *Police Act 7 of 1958*, which was contained in *Act 64 of 1964* as amended prior to the relevant date of transfer (1 April 1981, pursuant to the *Police Amendment Proclamation, AG GN 9/1981 (OG 4434)*) by *Act 15 of 1975*, *Act 34 of 1976*, *Act 90 of 1977*, *Act 64 of 1979* and *Act 50 of 1980*:

- “34A.** (1) There is hereby established a Police Reserve consisting of -
- (a) every person who has served in the Force in a permanent capacity for a period of not less than six months and who, before or after the commencement of the Police Amendment Act, 1972 (Act No. 94 of 1972), but before the commencement of the Police Amendment Act, 1975, (Act No. 15 of 1975) terminated his service, was discharged or dismissed from the Force or was retired on pension;
 - (b) every person, excluding a person referred to in paragraph (bA) or (bB), who has served in the Force in a permanent capacity for a period of not less than twelve months, and who, after the commencement of the Police Amendment Act, 1975, terminates his service, is discharged or dismissed from the Force or is retired on pension;
 - (bA) every person who was enrolled as a member of the Force after 1 October 1976 but before 1 January 1980 and who, after having served in the Force in a permanent capacity for a period of not less than twenty-four months terminates his service, is discharged or dismissed from the Force or is retired on pension;
 - (bB) every person who was enrolled as a member of the Force on or after 1 January 1980 and who, after having served in the Force in a permanent capacity for a period of not less than forty-eight months, terminates his service, is discharged or dismissed from the Force or is retired on pension and, provided he is designated by the Minister, also a person who was so enrolled and has so served in a permanent capacity but who, before the expiration of the said period of forty-eight months, so terminates his service, is discharged or dismissed from the Force or is retired on pension; and

REGULATIONS
Police Act 19 of 1990

Regulations for the Police Reserve

(c) every person who is in terms of the Defence Act, 1957 (Act No. 44 of 1957), allotted to the Force for training and service, as well as any such person who has completed the service referred to in subsections (10) and (11) or (10) and (12).

(2) (a) Every member of the Police Reserve referred to in subsection (1)(a), (bA) or (bB) shall in writing notify an officer designated by the Commissioner, of his name and residential address within three months after he has become a member.

(b) Every member of the Police Reserve shall in writing notify the said officer of any change of his residential address within fourteen days of such change.

(c) In any prosecution of any member of the Police Reserve for a contravention of any provision of paragraph (a) or (b), the member concerned shall be deemed not to have notified the said officer of his name and residential address or of any change of his residential address, unless proof to the satisfaction of the court is adduced that the member concerned did in fact comply with such provision or took all reasonable steps to comply therewith.

(3) The Minister or any commissioned officer acting under his authority may, from time to time, by notice in writing, sent by post or delivered, order any member of the Police Reserve, other than a member who has attained the age of 65 years, to report for training or service to the officer in charge of such police station or institution as may be specified in such notice, and at such time and for such period as may be so specified: Provided that the Minister or any such commissioned officer may exempt any such member from any obligation imposed upon him in terms of this section or may grant him an extension of time to comply therewith.

(3A) The Minister or any commissioned officer acting under his authority may, notwithstanding the provisions of section 17, discharge or dismiss any member of the Police Reserve from that reserve.

(4) No member of the Police Reserve referred to in subsection (1)(a), (bA) or (bB) shall be compelled to serve in the Force in a rank inferior to the rank in which he served in the Force at the termination of his permanent service.

(5) The period referred to in subsection (3) shall, subject to the provisions of subsection (11) not exceed 90 days per year, and in the aggregate not 150 days in the case of any person who becomes a member of the Police Reserve before 1 July 1979, or 180 days in the case of any person who becomes a member of the Police Reserve on or after 1 July 1979 but before 1 January 1980, or 240 days in the case of any person who becomes a member of the Police Reserve on or after 1 January 1980: Provided that where any member of the Police Reserve has on or after 1 July 1979 rendered more than two years continuous service in a permanent capacity in the Force, his obligation so to serve shall be reduced by 30 days in respect of every completed year of such continuous service.

(6) The provisions of subsection (3) shall not apply -

(a) to a member of the Police Reserve referred to in subsection(1) (a) or (bA) after the expiration of a period of five years or to a member of the Police Reserve referred to in subsection (1)(bB) after the expiration of a period of eight years, as from the date on which he terminated his service in a permanent capacity in the Force or the date on which he was discharged or dismissed from the Force or was retired on pension from such service;

(b) or to a member of the Police Reserve. referred to in subsection (1)(c) after the expiration of the periods or period determined by subsection (11) or if he was allotted to the Force for training and service before 1 July 1977 and served in the Force for a single period of 24 months.

(7) If the Minister is of the opinion that any action or threat of action by any person or body of persons is of such a nature and extent that the public safety, the maintenance of public order, or life or property, is seriously endangered, he may, notwithstanding the provisions of subsections (5), (6), (11) and (12) but subject to the provisions of subsection (3), order any member of the Police Reserve to serve in the Force for a period which he thinks fit.

(8) The provisions of subsection (7) of this section shall be in addition to and not in substitution for the provisions of section 7.

(9) No provision of this Act shall be so construed as to exempt any person (excluding a person designated by the Minister in terms of subsection (1)(bB)) who at the termination of his permanent service in the Force has served as such for a period of less than six months, twelve months, twenty-four months or forty-eight months, as the case may be, or any member of the Police Reserve who in terms of this section is exempted from service in the Force or discharged or dismissed from the Force from the provisions of the Defence Act, 1957.

(10) Any person referred to in subsection (1)(c) shall be liable to render such continuous service in the Force as the Minister or any commissioned officer acting under his authority may, within the limits laid down in this section, determine.

(11) Subject to the provisions of subsection (7), the continuous service which. any person shall be liable to render in the Force in terms of subsection (10), shall -

(a) in the case of any person allotted to the Force for training and service before 1 July 1977, be completed in not more than five periods and shall not exceed 12 months during the first period of service and 30 days during every later period of service; and

REGULATIONS
Police Act 19 of 1990

Regulations for the Police Reserve

- (b) in the case of any person allotted to the Force for training and service on or after 1 July 1977 but before 1 January 1980, be completed in not more than five periods and shall not exceed 24 months during the first period of service and 90 days during every later period of service and in the aggregate 180 days during such later periods of service; and
- (c) in the case of any person allotted to the Force for training and service on or after 1 January 1980, be completed in not more than eight periods and shall not exceed 24 months during the first period of service and 90 days during every later period of service and in the aggregate 240 days during such later periods of service.
- (12) **[deleted by Act 64 of 1979]**
- (13)(a) Any member of the Police Reserve who contravenes any provision of this section or fails to comply with an order issued in terms thereof, shall, except where such contravention or failure has by section 9(1) been declared an offence be guilty of an offence and liable on conviction to a fine not exceeding three hundred rand or to imprisonment for a period not exceeding six months or to such imprisonment without the option of a fine or to both such fine and such imprisonment.
- (b) Any member of the Police Reserve liable in terms of subsection (10) of this section to render service in the Force and who -
- (i) when called up does not report for such service; or
- (ii) having reported for service does not render such service,
- shall be guilty of an offence and liable on conviction to the penalties prescribed by paragraph (a).
- (14) The provisions of the Moratorium Act, 1963 (Act No. 25 of 1963), shall *mutatis mutandis* apply also with reference to any member of the Police Reserve mentioned in subsection (1)(a), (b) (bA) or (bB) who renders continuous service in the Force as such, as if such continuous service is the continuous service which is rendered in terms of subsection (10) by a member of the Police Reserve mentioned in subsection (1)(c).”]

DEFINITIONS

1. In these Regulations, unless the context otherwise indicates, any expression defined in the Act shall have the same meaning as in the Act and -

(1) any expression defined in the Regulations for the South African Police as published by Government Notice R. 203 in *Government Gazette Extraordinary* 719 (Regulation Gazette 299) of 14 February 1964, shall *mutatis mutandis* apply to all members of the Police Reserve in so far as they are applicable and can be so applied: Provided that “member” shall mean a member of the Police Reserve;

(2) “service” means any period included in that period when a member of the Police Reserve is ordered to report for training or service under section 34A(3) or (7) and as long as he serves in terms of such order, and performs full-time police duty generally, or all or any of the functions of the South African Police, as described in section 5 of the Act, but will not include any periods when such member is not “on duty”; and

[subregulation (2) amended by RSA GN R.1595/1975]

“on duty” means any period when a member performs full-time service (duty) as determined by the Commissioner and shall include any period when he performs the work, duty or service prescribed in regulation 77 of the Regulations of the South African Police.

2. Should any doubt arise in connection with the interpretation of these Regulations, the matter shall be referred to the Commissioner for decision.

ORGANISATION

3. (1) The Commissioner may, subject to subregulation (2) of this regulation -
- (a) group or regroup the Police Reserve into various branches, units or groups;

**REGULATIONS
Police Act 19 of 1990****Regulations for the Police Reserve**

- (b) purchase stores, arms, ammunition and other articles or equipment required for the Police Reserve;
- (c) prescribe returns, registers, records, documents, books and forms for use in connection with the Police Reserve.

(2) Any power conferred by subregulation (1) and involving expenditure, shall not be exercised unless funds have been voted therefor or the expenditure has been approved by the Treasury.

FUNCTIONS AND DUTIES OF THE POLICE RESERVE

4. (1) The Commissioner shall be responsible to the Minister for the maintenance of discipline, efficient administration and the effective performance of the functions of the Police Reserve and the duties and functions of members of the Force, as described in section 5 of the Act, shall *mutatis mutandis* be applicable to members of the Police Reserve whilst performing service in accordance with section 34A of the Act.

(2) A member of the Police Reserve who performs the duties and functions referred to in subregulation (1) may exercise all such powers and shall perform all such functions as are by law conferred on or are to be performed by a permanent member of the Force, and shall be liable for his actions to the same extent as a permanent member of the Force would be in the same circumstances, and shall have the benefit of all the indemnities to which a permanent member of the Force would be entitled in similar circumstances.

(3) When a member of the Police Reserve under section 3(2)(a)(iii) of the Workmen's Compensation Act, 1941 (Act 30 of 1941), ceases to be a "workman" under the Workmen's Compensation Act owing to the fact that he performing service under section 7 of the Police Act, the measures in substitution of the relevant provisions of the Workmen's Compensation Act which become applicable to members of the Force serving under section 7 of the Act, shall *mutatis mutandis* become applicable to such members of the Police Reserve.

(4) A member of the Police Reserve who has, under section 34A(3) or (7) of the Act, been ordered to report for service, shall for the duration of the period for which he is so ordered to perform service and while actually performing such service, be a "workman" as provided for in section 3 of the Workmen's Compensation Act, 1941 (Act 30 of 1941).

(5) The Commissioner may, subject to the Act and to these Regulations, prescribe the nature of service of members of the Police Reserve and the duties of officers in charge of police stations with regard to members of the Police Reserve.

- (6) A member of the Police Reserve -
 - (a) shall carry out his functions at any place within the Republic or the Territory according to the requirements of the Force;
 - (b) may be allocated to or employed in any branch and, whilst so appointed or employed, be transferred from one branch to another.

[The Workmen's Compensation Act 30 of 1941 has been renamed
the Employees' Compensation Act 30 of 1941]

**REGULATIONS
Police Act 19 of 1990****Regulations for the Police Reserve****DELEGATION OF THE POWERS OF THE COMMISSIONER**

5. Regulation 5 of the Regulations for the South African Police shall, with due regard to section 31A of the Act, apply to the Police Reserve.

ORDERS AND INSTRUCTIONS

6. (1) The Commissioner may issue orders and instructions concerning all matters which -

- (a) in terms of the Act or these Regulations shall or may be prescribed by him;
- (b) are not inconsistent with the Act or these Regulations and which he deems necessary or expedient for efficient administration or the achievement of the objects of the Act or of the Regulations.

(2) Orders and instructions of a permanent nature may be issued by the Commissioner as “Standing” or “Force Orders”.

(3) Commanders may issue orders and instructions which are not inconsistent with the Act, these Regulations, or orders and instructions issued by the Commissioner.

(4) Orders and instructions issued in terms of subregulations (1), (2) and (3) shall be obeyed by all members to whom such orders and instructions are applicable.

MEMBERS TO PLACE ALL THEIR TIME AT THE DISPOSAL OF THE STATE

7. (1) A member of the Police Reserve shall, whilst performing service pursuant to section 34A of the Act, place all his time at the disposal of the State.

(2) The Commissioner may order any member to perform duties, other than the functions of the Force, temporarily on behalf of another Government Department, and any member shall perform such duties when ordered to do so by his superior.

(3) No member may claim as a right any additional remuneration in respect of any official duty or work which is assigned to him by a superior in terms of subregulation (2).

(4) No member shall during official working hours use any other member or an “officer” or “employee” defined in the Public Service Act, 1957 (Act 54 of 1957), in connection with work which is not performed on behalf of the State.

[The “Administration of South West Africa” and the “Secretary for South West Africa” were removed from the coverage of the Public Service Act 54 of 1957 by RSA Proc. R 112/1980 (RSA GG 7097). The public service in South West Africa was then governed by the Government Service Act 2 of 1980 (OG 4116), which was renamed the Public Service Act 2 of 1980 and replaced by the Public Service Act 13 of 1995.]

RANKS, OFFICIAL DESIGNATIONS, PRECEDENCE AND SENIORITY IN RANK

8. (1) Notwithstanding the provisions of section 34A(4) of the Act, the State President may in a specially deserving or warranted case, confer an honorary rank upon a member in any rank referred to in regulation 8(1)(a) of the Regulations for the South African Police, published by Government Notice R. 203 of 14 February 1964, as amended, which is not higher than the rank of lieutenant-colonel, and the Commissioner may in a specially deserving or

REGULATIONS
Police Act 19 of 1990

Regulations for the Police Reserve

warranted case, confer upon a member a rank referred to in paragraph (b) of the aforementioned regulation 8 of the Regulations for the South African Police for such period or periods of service as the State President or the Commissioner may deem necessary.

An honorary rank or rank awarded in terms of this regulation shall apply only for as long as the holder thereof is a member of the Police Reserve, and shall lapse immediately upon his discharge, dismissal or exemption for whatever reason.

An honorary rank or rank so conferred upon a member may in the case of misconduct be taken away by the State President or Commissioner as the case may be.

[subregulation (1) substituted by RSA GN R.1595/1975]

(2) A commander shall, however, irrespective of seniority in service and rank, be deemed to be the superior of all members over whom he exercises authority, command, control or supervision, whether permanently or temporarily.

(3) The form of address shall be as prescribed for permanent members of the Force.

ENROLMENT AND CLASSIFICATION

9. (1) Subject to section 34A(3) of the Act, members of the Police Reserve are eligible for classification as either active or inactive.

(2) Any application for exemption in accordance with the proviso to section 34A(3), shall be addressed to the Commissioner in writing and shall state clearly and unambiguously on what grounds exemption is sought and specifically mention the period or periods for which such exemption is desired.

CERTIFICATES OF IDENTITY

10. For the purpose of section 4(3) of the Act, a certificate of identity, in the form contained in Schedule A, shall be issued to every member of the Police Reserve, and such certificate may be replaced as often as the Commissioner may deem necessary: Provided that the Commissioner may, in his discretion, withhold the issue of such certificate.

OBLIGATIONS AND EXEMPTIONS

11. No member of the Police Reserve may fail to report for service, which in terms of section 34A(3) or (7) of the Act, he may be ordered to perform, or cease to perform service which he has been ordered to perform, unless he is exempted in terms of the proviso to section 34A(3) of the Act, from the obligation so imposed on him.

DRESS, UNIFORM AND EQUIPMENT

12. (1) The dress, uniform and equipment of the Police Reserve shall be as prescribed for permanent members of the Force by regulation 18 of the Regulations for the South African Police and shall, pursuant thereto, but with particular reference to the proviso to subregulation 6 thereof, *mutatis mutandis* apply in respect of members of the Police Reserve.

[subregulation (1) amended by RSA GN R.1595/1975]

(2) A member who is allotted to the Force in terms of section 34A(1)(c) of the Act and who has completed the service referred to in subsection (10) and (11) or (10) and (12) shall, notwithstanding regulation 18(10) of the Regulations for the South African Police, keep and

**REGULATIONS
Police Act 19 of 1990****Regulations for the Police Reserve**

maintain the uniform equipment prescribed therein, for use only when he serves in the Force voluntarily or in terms of section 34A of the Act.

Except in those instances provided for by regulation 9(5) of the Regulations for the South African Police, such uniform equipment may be worn only for the performance of official duties.

[subregulation (2) inserted by RSA GN R.1595/1975]

SALARIES

13. Subject to the provisions of the Act and section 21 of the Public Service Act, 1957 (Act 54 of 1957), members of the Police Reserve shall be paid a salary and allowances in accordance with the scales prescribed from time to time for their respective ranks by the Treasury on the recommendation of the Public Service Commission and published in Force instructions.

[The “Administration of South West Africa” and the “Secretary for South West Africa” were removed from the coverage of the Public Service Act 54 of 1957 by RSA Proc. R 112/1980 (RSA GG 7097). The public service in South West Africa was then governed by the Government Service Act 2 of 1980 (OG 4116), which was renamed the Public Service Act 2 of 1980 and replaced by the Public Service Act 13 of 1995.]

14. From the pay or other moneys to which a member of the Police Reserve may be entitled, the Commissioner may deduct any amount for which such member is liable to the State in respect of any -

- (a) fine;
- (b) loss of or damage to State property or any property for which the State is responsible;
- (c) deficit, expense, loss, damage, injury or destruction caused by his misconduct or any wrongful act, negligence or carelessness on his part;
- (d) overpayment of salary;
- (e) uniform, clothing and equipment issued against repayment;
- (f) authorised assignment of pay;
- (g) official debt or any other liability of a like nature.

SUBSISTENCE ALLOWANCE

15. A member of the Police Reserve who is ordered to perform active service under section 34A(3) or (7) of the Act and while actually performing such service, may be paid a subsistence allowance in accordance with the tariff and subject to the conditions prescribed in regulation 22 of the Regulations for the South African Police.

OFFICIAL JOURNEYS AND TRANSPORT

16. Regulation 23 of the Regulations for the South African Police regarding official journeys and transport shall *mutatis mutandis* apply to members of the Police Reserve when and if journeys have to be undertaken and transport has to be made use of.

MEDICAL EXAMINATION

**REGULATIONS
Police Act 19 of 1990****Regulations for the Police Reserve**

17. (1) The Commissioner or a member to whom he has delegated his powers in terms of this regulation, may at any time order that a member of the Police Reserve -

- (a) claiming or suspected to be suffering from an indisposition, ill-health, disease or injury, shall submit himself to a medical examination at State expense in a military or other hospital or nursing institution or by a district surgeon, other registered Government medical practitioner, any other registered medical practitioner, or a person registered to render medical auxiliary services;
- (b) shall submit himself to an examination, at State expense, referred to in subregulation (a) for the purpose of obtaining a report on his state of health.

(2) If a district surgeon or other medical practitioner states in his report that, in his opinion, a member is or is likely to become medically unfit for further service in the Police Reserve, such report shall, without delay, be submitted to the Commissioner, who shall decide whether such member shall be exempted from further service or not.

VACCINATION AND INOCULATION

18. A member of the Police Reserve shall at any time submit himself to such vaccination or revaccination and inoculation against disease as the Commissioner may direct on the recommendation of the Secretary for Health or a medical officer authorised thereto by him.

MEDICAL AND HOSPITAL TREATMENT: MEMBERS

19. (1) Subject to this regulation and the Workmen's Compensation Act, 1941 (Act 30 of 1941), a member of the Police Reserve shall, while performing service in accordance with an instruction under section 34A(3) or (7) of the Act, be entitled to receive medical and hospital treatment including drugs and dressings, at State expense, and the Commissioner may at any time order that a member suspected or claiming to be suffering from an indisposition, ill-health, disease or injury, be admitted to a military or any other hospital or nursing home to undergo such treatment: Provided that any expense incurred under this subregulation shall be defrayed by the State only in respect of an indisposition, ill-health, disease or injury which, in the discretion of the Commissioner, is not due to a member's misconduct or serious or deliberate failure to take reasonable precautions.

**[The Workmen's Compensation Act 30 of 1941 has been renamed
the Employees' Compensation Act 30 of 1941]**

- (2) The medical and hospital treatment provided for under this regulation comprises -
 - (a) medical examination and treatment by a district surgeon, by any other medical practitioner of the State and, if authorised by the Commissioner, in consultation with the Secretary for Health, or a medical officer designated by the Secretary for Health, by any medical practitioner or specialist: Provided that where the Commissioner authorises treatment by a private medical practitioner or specialist while the services of the district surgeon or medical practitioner of the State are available, the cost in connection with the treatment shall be paid out of State funds only in so far as such cost does not exceed the amount laid down for the particular service in a scale of fees approved by the Treasury;

**REGULATIONS
Police Act 19 of 1990**

Regulations for the Police Reserve

- (b) admission to and care and nursing in a military or public hospital as well as any medical or supplementary medical auxiliary service rendered by such hospital to a member whilst being cared for therein;
- (c) admission to and care and nursing in a private hospital or nursing home in cases of special urgency or when suitable accommodation is not available in a military or public hospital, as well as any medical or supplementary medical auxiliary service rendered by such private hospital or nursing home to a member whilst being cared for therein;
- (d) the employment of a registered nurse when, in the opinion of the district surgeon or other authorised medical practitioner attending the case, such a course is necessary;
- (e) the provision of medical and dental comforts, aids and appliances: Provided that the maximum contribution out of State funds towards the total cost be determined by the Commissioner in each case ;

[paragraph (e) amended by RSA GN R.140/1976]

- (f) examination and treatment as an outpatient or in the casualty department of any hospital, nursing institution or clinic.

(3) For the purposes of this regulation an examination or treatment by an authorised medical practitioner or specialist shall be conclusive proof that it was an examination or treatment as referred to in this regulation.

(4) Reasonable expenses in connection with the funeral of a member of the Police Reserve, who has died whilst on duty or as a result of duty may. In the discretion of the Commissioner, be paid from State funds.

DENTAL TREATMENT

20. (1) A member of the Police Reserve shall, while performing service in accordance with an instruction under section 34A(3) or (7), be entitled to receive free of charge any dental treatment rendered by a district surgeon.

(2) Should dental treatment be necessitated as a result of the circumstances described in regulation 53(1) of the Regulations for the South African Police, the total cost attached thereto shall be paid from State funds.

[subregulation (2) substituted by RSA GN R.140/1976]

(3) A member of the Police Reserve who performs duties in accordance with section 34A(11)(a) or (12) of the Act shall while so serving be entitled to the same benefits as provided for by regulation 31 of the Regulations for the South African Police as far as the said regulations deals with dental treatment.

[Subregulation (3) is substituted by RSA GN R.140/1976.
The verb "deals" should be "deal" to be grammatically correct.]

LEAVE OF ABSENCE

**REGULATIONS
Police Act 19 of 1990****Regulations for the Police Reserve**

21. (1) Subject to subregulations (2), (3), (4), (5) and (6) leave of absence shall not be granted save in exceptional and deserving cases, and then only on authority of the Commissioner, and such period of absence shall, at the sole discretion of the Commissioner be deemed to be reckoned or not to be reckoned as service for the purpose of section 34A(5) of the Act, and no remuneration shall be paid during such period of absence.

[subregulation (1) amended by RSA GN R.1595/1975]

(2) A member of the Police Reserve who performs service in accordance with an instruction under section 34A(3) or (7) of the Act may be granted sick leave, on production of a medical certificate issued by a district surgeon or other authorised medical practitioner for the period mentioned in such certificate and, subject to subregulation (3) of this Regulation, the period of sick leave mentioned in the certificate or the unexpired portion of the duty period which the member was ordered to perform duty whichever is the shorter, may be approved as sick leave with pay and such leave may be reckoned as service for the purpose of section 34A(5) of the Act: Provided that such sick leave shall be granted only in respect of absence owing to an indisposition, ill-health, disease or injury not due to a member's misconduct or serious or deliberate failure to take reasonable precautions.

(3) Subject to regulation 20(1) and (3), the Commissioner may in his discretion, approve that in the case of a member who, at the expiration of his service in terms of an instruction under section 34A(3) or (7) of the Act, is an inmate of a hospital or a nursing institution, other than a hospital or institution for the treatment of sufferers from Hansen's disease or mentally ill persons, such treatment and hospitalisation provided for in regulation 19(2) be continued at State expense for the duration of the necessary treatment approved by the Commissioner but, subject to Regulation 21(2), the member shall be deemed to be performing service under section 34A(3) or (7) of the Act and to be absent on sick leave as provided for in regulation 21(2) of these Regulations.

[subregulation (3) amended by RSA GN R.2147/1973]

(4) A member of the Police Reserve who performs duty in terms of section 34A(10) and (11)(a) or (10) and (12) of the Act, may be granted vacation leave with full pay for a period not exceeding 14 days per annum.

(5) If a member who performs his first period of continuous service in terms of section 34A(10) and (11)(a) or (10) and (12) of the Act, produces documentary proof to the satisfaction of his commanding officer that he has to be re-examined in one subject only for his school-leaving certificate, such commanding officer shall grant to such member leave of absence with full pay for the day on which he must be re-examined and such commanding officer may in addition grant to such member before such re-examination not more than one day's leave of absence with full pay in respect of the day on which he has to be re-examined for the purpose of preparing himself therefor.

(6) With due regard and subject to the conditions which the Public Service Commission may recommend for the purpose of the granting of Special Leave, the Commissioner may, if circumstances warranting such a step should arise, in his discretion and to the extent to which he may approve, permit a departure from the provisions of regulation 21 or he may order that any period in respect of a particular member shall not be regarded as absence.

[subregulations (4)-(6) inserted by RSA GN R.2147/1973]

SPECIAL SICK LEAVE

**REGULATIONS
Police Act 19 of 1990****Regulations for the Police Reserve**

22. Regulation 53 of the Regulations for the South African Police shall *mutatis mutandis* apply to a member of the Police Reserve who performs service in accordance with an instruction under section 34A(3) or (7) of the Act.

OFFENCES AGAINST DUTY AND DISCIPLINE

23. A member of the Police Reserve who performs service in terms of section 34A of the Act and who contravenes any provision of regulation 58, with the exception of subregulations (19)(f), (33)(a), (37) and (38), of the Regulations for the South African Police published under Government Notice R. 203 in *Government Gazette Extraordinary* 719 (Regulation Gazette 299) of 14 February 1964 shall be guilty of an offence and may be dealt with in accordance with Chapter II of the Act and these Regulations.

[regulation 23 substituted by RSA GN R.2333/1978]

TRIAL BY A COMMISSIONED OFFICER UNDER SECTION 9(2) OF THE ACT

24. (1) Regulation 61 of the Regulations for the South African Police shall *mutatis mutandis* apply when and if disciplinary steps are instituted against any members of the Police Reserve who are not commissioned officers for any contravention of these Regulations.

(2) If the disciplinary steps referred to in subregulation (1) cannot be disposed of during the period of service referred to in regulation 23, the matter may, at the discretion of the Commissioner, be referred to a public prosecutor appointed in terms of the Magistrates' Courts Act, 1944 (Act 32 of 1944) for disposal in a court established under the said Act.

[subregulation (2) amended by RSA GN R.2147/1973]

APPEAL AGAINST CONVICTION AND SENTENCE AND REVIEW

25. Regulation 62 of the Regulations for the South African Police shall *mutatis mutandis* apply in respect of an appeal lodged against a conviction and sentence imposed pursuant to regulation 24(1).

[regulation 25 amended by RSA GN R.2147/1973]

CONDUCT SHEETS

26. (1) A conduct sheet, on the prescribed form, shall, in accordance with regulation 63 of the Regulations for the South African Police, be maintained at Headquarters in respect of every member of the Police Reserve.

(2) When regulation 24(2) or regulation 27(2) is enforced, particulars regarding convictions, other than convictions imposed in terms of section 9(2) or section 10 of the Act, recorded on the conduct sheet shall be furnished to a public prosecutor having jurisdiction in the matter.

[subregulation (2) amended by RSA GN R.2147/1973]

**ALLEGED MISCONDUCT OF OFFICERS OF THE POLICE RESERVE UNDER
SECTION 10 OF THE ACT**

[heading substituted by RSA GN R.1595/1975]

**REGULATIONS
Police Act 19 of 1990****Regulations for the Police Reserve**

27. (1) Regulations 66 and 67 of the Regulations for the South African Police shall *mutatis mutandis* apply when a member of the Police Reserve, being a commissioned officer performing service pursuant to section 34A of the Act, is suspected or alleged to have misconducted himself.

(2) If the disciplinary steps referred to in subregulation (1) cannot be disposed of during the period of service referred to in regulation 23, the matter may, at the discretion of the Commissioner, be referred to a public prosecutor appointed in terms of the Magistrates' Courts Act, 1944 (Act 32 of 1944) for disposal in a court established under the said Act.

[subregulation (2) amended by RSA GN R.2147/1973]

ADMINISTRATIVE INQUIRIES

28. Regulation 68 of the Regulations for the South African Police, published under Government Notice R. 203 in *Government Gazette Extraordinary* 719 (Regulation Gazette 299) of 14 February 1964, shall *mutatis mutandis* apply in respect of a member of the Police Reserve who performs service in terms of section 34A of the Act.

[regulation 28 substituted by RSA GN R.2333/1978]

**DEFICIENCY, LOSS, DAMAGE OR EXPENSE: LIABILITY FOR AND RECOVERY
OF**

29. Regulation 69 of the Regulations for the South African Police, published under Government Notice R. 203 in *Government Gazette Extraordinary* 719 (Regulation Gazette 299) of 14 February 1964, shall *mutatis mutandis* apply in respect of a member of the Police Reserve who performs service in terms of section 34A of the Act: Provided that if the order referred to in regulation 69(2) cannot be enforced by reason of the fact that moneys due to the member responsible for the deficiency, loss, damage or expense are insufficient, the matter shall be referred to the State Attorney or his deputy for the necessary legal action.

[regulation 29 substituted by RSA GN R.2333/1978]

OBEDIENCE

30. (1) Subject to subregulation (2), a member of the Police Reserve shall unconditionally obey any lawful instruction given by a person who is competent to do so.

(2) A member may, after having obeyed an instruction referred to in subregulation (1), demand that such instruction be confirmed in writing and may thereupon, in the prescribed manner, submit for decision any complaint he may have in connection therewith.

REDRESS OF WRONGS

31. (1) Any member of the Police Reserve who feels aggrieved by any act or omission on the part of any other member, may complain in writing to his immediate commander, and if the complaint is against such commander or if the latter is not empowered or is unable to redress the wrong or otherwise to satisfy the aggrieved member within a reasonable time, such commander shall refer the complaint to his commanding officer.

**REGULATIONS
Police Act 19 of 1990****Regulations for the Police Reserve**

(2) If such commanding officer is not empowered or is unable to redress the wrong or otherwise to satisfy the aggrieved member, he shall without unreasonable delay transmit the complaint for decision to his Divisional Commissioner or any other commissioned officer designated by the Commissioner, and such Divisional Commissioner or other designated commissioned officer shall, if he is not empowered or is unable to redress the wrong or to satisfy the aggrieved member, submit the complaint to the Commissioner without delay.

(3) If the Commissioner is unable to redress the wrong or otherwise to satisfy the aggrieved member, he shall, if such member so requests and there appear to be *prima facie* grounds for such grievance, transmit the complaint to the Minister, whose decision shall, with due regard to section 3(1) of the Act, be final.

(4) Any member who refers a complaint to a higher authority in terms of this regulation, shall immediately notify the aggrieved member to that effect.

(5) Any member who has lodged a complaint with his commander and whose wrong has not been redressed or who has not been otherwise satisfied within a reasonable time, or who has not been advised within a reasonable time that his complaint has been referred to a higher authority, may complain direct to such higher authority and ultimately to the Commissioner: Provided that such member shall, when complaining to such higher authority or to the Commissioner, at the same time forward a copy of such further complaint to his commander.

(6) This regulation shall *mutatis mutandis* apply also to any other grievance concerning the Force for which no express provision has been made in the Act or in these Regulations and which a member may desire to bring to the notice of a higher authority.

HOME AND WORK TELEPHONE NUMBERS

32. A member of the Police Reserve shall notify his commander of his telephone number, if any, at his residence and any changes thereof, and similar particulars shall be furnished in respect of a telephone where he can be contacted at his place of employment.

ABANDONED, LOST OR UNCLAIMED PROPERTY

33. A member of the Police Reserve who finds, takes charge of or otherwise comes into possession of abandoned, lost or unclaimed property, shall hand in such property at a police station for safe keeping and ultimate disposal in accordance with regulation 80 of the Regulations for the South African Police: Provided that subsection (7)(a) of the aforesaid regulation 80 shall *mutatis mutandis* apply to such member

DEPARTURES IN TIME OF WAR OR NATIONAL EMERGENCY

34. If a state of war or national emergency arises the Commissioner may, subject to the provisions of the Act and of section 7(2) of the Public Service Act, 1957 (Act 54 of 1957), authorise a departure from these Regulations, either in general or in respect of a particular member.

REGULATIONS
Police Act 19 of 1990

Regulations for the Police Reserve

SCHEDULE A
(Referred to in regulation 10)

CERTIFICATE OF IDENTITY
(Section 34A, Act 7/1958)

This is to certify that.....
I.D. No has been appointed a
member of the Police Reserve of the Republic of South Africa and that he holds the rank of
.....

Signed by me thisday of 19
Place

.....
Commissioner of the South African Police
Valid only when holder hereof has been placed on duty.