

PROCLAMATION*by the**President of the Republic of South Africa*

No. 28, 2012


**COMMENCEMENT OF THE SECOND-HAND GOODS ACT, 2009
(ACT NO. 6 OF 2009)**

Under section 45 of the Second-Hand Goods Act, 2009 (Act No. 6 of 2009), I hereby fix 30 April 2012 as the date on which all sections of the said Act which have not yet been put into operation, shall come into operation.

Given under my Hand and the Seal of the Republic of South Africa at Pretoria this 4th day of April Two Thousand and twelve.

**PRESIDENT**

By Order of the President -in-Cabinet


E N MTHETHWA
MINISTER OF THE CABINET

PROKLAMASIE
van die
President van die Republiek van Suid-Afrika

No. 28, 2012

INWERKINGTREDING VAN DIE WET OP TWEDEHANDSE GOED, 2009
(WET NO. 6 VAN 2009)

Kragtens artikel 45 van die Wet op Tweedehandse Goed, 2009 (Wet No. 6 van 2009), bepaal ek hierby 30 April 2012 as die datum waarop alle artikels van die genoemde Wet wat nog nie in werking getree het nie, in werking tree.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Pretoria op hede die 4de dag van April Tweeduisend en twaalf.

**PRESIDENT****Op las van die President-in-Kabinet**

E N MTHETHWA

**MINISTER VAN DIE KABINET**

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THE PRESIDENCY

No. 392

1 April 2009

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

No. 6 of 2009: Second-Hand Goods Act, 2009.



AIDS HELPLINE: 0800-123-22 Prevention is the cure

*(English text signed by the President.)
(Assented to 30 March 2009.)*

ACT

To regulate the business of dealers in second-hand goods and pawnbrokers, in order to combat trade in stolen goods; to promote ethical standards in the second-hand goods trade; and to provide for matters connected therewith.

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

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5

LAWS REPEALED

CHAPTER 1

INTERPRETATION AND APPLICATION OF ACT

Definitions

1. (1) In this Act, unless the context indicates otherwise— 10
- “**accreditation**” means accreditation by the National Commissioner in terms of section 17;
- “**acquire**” means acquire by any means, and includes importing into the Republic;
- “**antique**” means goods representing a previous era in human society and which are collected or desirable because of age, rarity, condition, utility or other unique features; 15
- “**business trust**” means a trust created for the purposes of making a profit through the combination of capital contributed by the beneficiaries of the trust and through the administration or management of the capital by trustees or a person acting on behalf of those trustees, for the benefit of the beneficiaries; 20
- “**certificate**” means a certificate of registration issued and in force under this Act, and includes any amendment thereof;
- “**charity organisation**” means a voluntary organisation established for charitable purposes, that carries on a business in dealing in second-hand goods and that acquires such second-hand goods by way of donation; 25
- “**close corporation**” means a close corporation within the meaning of the Close Corporations Act, 1984 (Act No. 69 of 1984);
- “**company**” means a company within the meaning of the Companies Act, 1973 (Act No. 61 of 1973);
- “**communication equipment**” means any wireless mobile communication equipment with IMEI capable of using SIM, including cellular telephones, telephones and two-way radios, and includes accessories of such equipment; 30
- “**controlled metal**” means any metal contemplated in Schedule 2;
- “**dealer**” means a person who carries on a business of dealing in second-hand goods, and includes a scrap metal dealer and a pawnbroker; 35
- “**dealers’ association**” means an association of dealers formed in order to represent the interests of dealers;
- “**deal in**” includes acquire and dispose of;
- “**Designated Police Officer**” means any police official to whom the National Commissioner delegates any function in terms of section 38(2); 40
- “**dispose of**” means dispose of by any means, and includes exporting out of the Republic;
- “**goods**” means any of the goods specified in Schedule 1, but does not include firearms or ammunition as defined in the Firearms Control Act, 2000 (Act No. 60 of 2000) or clothing; 45
- “**household and office equipment**” includes communication equipment, electric and electronic equipment and appliances, electronic software, furniture, gardening equipment, tools, books, valuables, clothing and works of art;
- “**IMEI**” means the International Mobile Equipment Identity that uniquely identifies mobile communication equipment; 50

- “**management**” includes the chief executive officer, chief operating officer, owner or manager of a registered dealer who is responsible for the day to day control, direction or supervision of the business of that dealer at the premises in question;
- “**Minister**” means the Minister for Safety and Security;
- “**National Commissioner**” means the National Commissioner of the South African Police Service, appointed by the President under section 207(1) of the Constitution of the Republic of South Africa, 1996;
- “**pawnbroker**” means a person who—
- (a) engages in the business of lending or advancing money on the deposit or pledge of goods;
 - (b) lends money upon goods, wares or merchandise pledged, stored or deposited as collateral security; or
 - (c) otherwise engages in pawn transactions within the meaning of the National Credit Act, 2005 (Act No. 34 of 2005);
- “**pawned goods**” means any movable goods subject to a pledge;
- “**person**” includes a trust and a business trust;
- “**police official**” means a member of the South African Police Service as defined in section 1 of the South African Police Service Act, 1995 (Act No. 68 of 1995);
- “**premises**” includes land, any building, structure, vehicle, conveyance, ship, boat or aircraft;
- “**precious metals**” means precious metals as defined in the Precious Metals Act, 2005 (Act No. 37 of 2005);
- “**prescribe**” means prescribe by regulation made in terms of section 41;
- “**previous Act**” means the Second-Hand Goods Act, 1955 (Act No. 23 of 1955);
- “**recycle**” means to melt, smelt, granulate, shred, dismantle, sort, grade, cut or prepare, either by hand or by the use of specialised plant, machinery and equipment, for use by consuming works such as foundries, mills, smelters, refiners and manufacturers;
- “**recycler**” means a person who carries on the business of recycling scrap metal;
- “**registers**” means registers prescribed in terms of this Act, and includes a print-out of registers kept electronically;
- “**second-hand goods**” means goods which have been in use by a person other than the manufacturer or producer thereof or a person dealing therewith for such manufacturer or producer in the course of business, but does not include goods with a value of less than R100;
- “**scrap metal**” includes any used, broken, worn out, defaced or partly manufactured goods made wholly or partly of non-ferrous or ferrous metal, lead or zinc or any substance of metallic waste or dye made of any of the materials commonly known as hard metals or of cemented or sintered metallic carbides;
- “**scrap metal dealer**” means a person who carries on a business that consists wholly or partly of the buying or selling of scrap metal;
- “**SIM**” means Subscriber Identity Module;
- “**Subscriber Identity Module**” means an independent, electronically activated device designed for use in conjunction with the use of mobile, including cellular or satellite communication equipment, to enable the user of the equipment to receive and transmit indirect communications by providing access to telecommunication systems and enabling such telecommunication systems to identify the particular subscriber identity module and its installed information;
- “**this Act**” includes any regulations made in terms of section 41;
- “**valuables**” means personal possessions that have a significant monetary value.
- (2) The Minister may by notice in the *Gazette*—
- (a) add any other article or substance to Schedule 1 or 2;
 - (b) determine that specific sections of this Act do not apply to certain types or categories of second-hand goods mentioned in Schedule 1 or 2.

CHAPTER 2

REGISTRATION

Obligation to register

2. (1) Every person who carries on a business as a dealer must be registered.

(2) A person other than a natural person may only be registered if a natural person, who is not disqualified in terms of this Act to be registered, is appointed to manage, and be responsible for, the business of the dealer, as the case may be.

(3) A person contemplated in subsection (2) is subject to the same obligations and liabilities as the registered dealer, as the case may be. 5

Application for registration

3. (1) (a) An application for registration must be made to the National Commissioner and must be accompanied by the prescribed documents.

(b) The National Commissioner may require the applicant to provide further information necessary for processing the application. 10

(2) If an applicant intends to conduct business from more than one premises, or where second-hand goods are stored on additional premises, such applicant must apply for registration in respect of each of those premises.

(3) Subject to section 14, the National Commissioner may, after consideration of the application and upon the applicant complying with all the requirements, register the applicant as a dealer. 15

Information on application by natural person

4. (1) An application by a natural person must be on the prescribed form and accompanied by two identity photographs of the applicant and must include the following information: 20

(a) The applicant's full name, residential address and identity number;

(b) the name under which the applicant carries on business;

(c) the street addresses of all the premises the applicant intends to use or uses for business purposes;

(d) the postal address, if any, used by the applicant for business purposes; and 25

(e) any other prescribed information.

(2) The National Commissioner may require the applicant to furnish additional information or particulars, and may require that the applicant's fingerprints be taken.

Information on application by person other than natural person

5. (1) An application by a person other than a natural person must include the following information: 30

(a) The applicant's name and, where applicable, registration number of the company, close corporation or trust;

(b) the registered address of the applicant;

(c) the street addresses of all the premises that the applicant intends to use or uses for business purposes; 35

(d) the full name and identity number of every person involved in the management of the applicant, and where applicant applies for registration for more than one premises, the full name and identity number of each person involved in the management of the applicant at each of the premises contemplated in section 3(2); 40

(e) the full name and identity number of every partner in the partnership, in the case of a partnership; and

(f) any other prescribed information.

(2) The National Commissioner may require a natural person involved in the management of the applicant, including the person contemplated in section 2(2), to furnish additional information or particulars and may require that the person's fingerprints be taken. 45

Refusal to register

6. (1) If a dealer fails to comply with the requirements for an application, the National Commissioner must refuse the application and inform the dealer of that fact. 50

- (2) Before refusing the application, the National Commissioner must—
- (a) give the dealer written notice of the National Commissioner’s intention to refuse the application;
 - (b) give the dealer 30 days to submit written representations as to why the National Commissioner should not make the intended decision; and
 - (c) duly consider any such representations and the facts pertaining to the matter.
- (3) The National Commissioner must notify the dealer in writing of any decision taken under this section and state the reasons for and the date on which the decision takes effect in such notice.

Effect of registration 10

7. (1) Where a dealer is registered in accordance with section 3(3), the National Commissioner must issue the prescribed certificate of registration to a dealer, authorising the dealer to carry on business—
- (a) in respect of the classes of second-hand goods specified on the certificate;
 - (b) on the premises specified on the certificate; and
 - (c) subject to such of the prescribed conditions as the National Commissioner may impose.
- (2) The National Commissioner must issue a certificate for each premises on which the dealer may conduct business.
- (3) If a person other than a natural person carries on business as a dealer, the certificate must be issued in the name of the person contemplated in section 2(2).
- (4) Registration does not exempt a dealer from having to comply with the provisions of any other law.
- (5) Registration remains valid for a period of five years from the date the certificate is issued.

Application for amendment of certificate

8. (1) The holder of a certificate of registration must notify the National Commissioner in writing within 30 days if—
- (a) there is any change with regard to any information that was submitted in respect of the application for registration;
 - (b) there is a change in the control or ownership of the dealer; or
 - (c) there is any change that impacts on the ability of the dealer to meet all or any of the requirements for its registration in terms of this Act.
- (2) The National Commissioner must, after consideration of the notice contemplated in subsection (1) and upon being satisfied that the holder of the certificate still complies with all the requirements of this Act, amend the certificate of registration.
- (3) The National Commissioner must issue an amended certificate of registration, reflecting all changes, to the dealer.
- (4) Upon receipt of the amended certificate, the dealer must immediately hand all previous certificates relating to the registration to the police official handing over the amended certificate.

Limitation or variation of conditions by National Commissioner

9. (1) The National Commissioner may limit or vary any or all of the conditions of registration if there is a change in the circumstances of a registered dealer requiring a limitation or variation.
- (2) Before limiting or varying any of the conditions, the National Commissioner must—
- (a) give the dealer written notice of his or her intention to limit or vary the conditions of registration;
 - (b) give the dealer 30 days to submit written representations as to why the National Commissioner should not limit or vary the conditions of registration; and
 - (c) duly consider any such representations and the facts pertaining to the matter.
- (3) The National Commissioner must notify the dealer in writing of any decision taken under this section and state the reasons for and the date on which the decision takes effect in such notice.

Termination and cancellation of registration

- 10.** (1) Registration in terms of this Chapter terminates—
- (a) upon the expiry of the period referred to in section 7(5), unless it is renewed in terms of section 11;
 - (b) in the event that the dealer stops trading or is unable to carry on business in terms of this Act or any other law; or
 - (c) upon cancellation in terms of subsection (3).
- (2) If a dealer stops trading or is unable to carry on business in terms of this Act or any other law contemplated in subsection (1)(b), such dealer must immediately notify the National Commissioner.
- (3) (a) The National Commissioner may cancel the registration of a registered dealer if the dealer fails to comply with any—
- (i) condition of registration; or
 - (ii) of the provisions of this Act;
- (b) The National Commissioner must cancel the registration of a registered dealer if the dealer—
- (i) is registered on the basis of incorrect or false information; or
 - (ii) is convicted of an offence of which dishonesty is an element.
- (4) Before cancelling the registration of a dealer, the National Commissioner must—
- (a) give the dealer written notice of the intention to cancel;
 - (b) give the dealer 30 days to submit written representations as to why his or her registration should not be cancelled; and
 - (c) duly consider any such representations and the facts pertaining to the matter.
- (5) The National Commissioner must notify the dealer in writing of any decision taken under this section and state the reasons for and the date on which cancellation takes effect in such notice.
- (6) A dealer whose registration has terminated must immediately—
- (a) hand all certificates relating to the registration to the police official serving the notice contemplated in subsection (5); or
 - (b) return all certificates to the National Commissioner in the event of termination contemplated in subsection (1)(a) or (b).

Renewal of registration

- 11.** (1) A registered dealer who intends to renew registration must apply for renewal not more than 180 days and at least 90 days before the date of termination of registration.
- (2) An application for renewal of registration must be made to the National Commissioner in the prescribed manner.
- (3) An application for the renewal of registration may only be granted if the dealer shows that he or she has continued to comply with the requirements of registration in terms of this Act.
- (4) If an application for the renewal of registration has been lodged within the period provided for in subsection (1), registration remains valid until the application is decided.

Transfer of certificate

- 12.** (1) Subject to subsection (2), a certificate issued in terms of this Act may not be transferred.
- (2) A registered dealer who wishes to transfer the business to which the registration relates, may only transfer such business to another registered dealer.
- (3) The certificate of the dealer transferring the business must be surrendered to the National Commissioner upon the issue of a new certificate.
- (4) (a) If a registered dealer dies, is declared by any court to be incapable of managing his or her own affairs or becomes mentally ill as contemplated in the Mental Health Care Act, 2002 (Act No. 17 of 2002), or if the estate of such dealer is sequestrated or if such dealer is liquidated, the executor, curator, administrator, trustee or liquidator of such person, as the case may be, may, subject to any law relating to deceased estates, mental health or insolvency, during the currency of the certificate of registration and without formal transfer of the certificate, conduct the business in question on such premises,

either personally or through an agent approved by the National Commissioner in writing.

(b) For the period pending the appointment of such executor, curator, administrator, trustee or liquidator, the person managing the affairs of the dealer concerned must, for the purposes of this subsection, be regarded as being such a dealer's executor, curator, administrator, trustee or liquidator, as the case may be. 5

Temporary registration

13. (1) Subject to section 14, the National Commissioner may grant temporary registration to a person— 10
- (a) for such period as may be prescribed; and
 - (b) subject to prescribed conditions.
- (2) The National Commissioner may at any time withdraw temporary registration if any condition contemplated in subsection (1)(b) is not complied with.

Disqualification

14. (1) A person is disqualified from being registered as a dealer if such person— 15
- (a) has in the preceding five years, in the Republic or elsewhere, been sentenced to imprisonment without the option of a fine in respect of any offence of fraud, theft or corrupt activities as referred to in the Prevention and Combating of Corrupt Activities Act, 2004 (Act No. 12 of 2004), or any contravention of the Corruption Act, 1992 (Act No. 94 of 1992), or the commission of any other offence of which dishonesty is an element; 20
 - (b) has in the preceding 10 years been convicted of an offence in terms of this Act or the previous Act, irrespective of the sentence imposed, and was within five years after the conviction again convicted of an offence in terms of any of the said Acts and sentenced to a fine exceeding R1 000; 25
 - (c) is an unrehabilitated insolvent;
 - (d) is under 18 years;
 - (e) does not permanently reside in the Republic; or
 - (f) is by virtue of any other law disqualified from carrying on a business.
- (2) A company, corporation, partnership or trust may not be registered if a person who is disqualified to hold a certificate in terms of subsection (1)(a), (b), (c), (d), or (f)— 30
- (a) has an interest in that company, close corporation or trust;
 - (b) is a partner in that partnership; or
 - (c) is a beneficiary under that trust.
- (3) For the purposes of subsection (1)(a) and (b), “preceding” means preceding the date of the application in question. 35

Display and maintenance of certificates

15. Where a certificate has been issued in terms of this Act, the original certificate must be—
- (a) displayed in a prominent place clearly visible to the public on the premises for which such certificate has been issued; and 40
 - (b) maintained in such a state that it can be produced undamaged and in a legible condition.

CHAPTER 3

ACCREDITATION 45

Functions of accredited dealers' associations

16. An accredited dealers' association must—
- (a) establish its members in different categories of dealers taking into account the classes of second-hand goods that the members are dealing in;

- (b) establish and maintain minimum legal and ethical standards with regard to its members, and may establish different standards with regard to the different categories of dealers, which may not be of a lower standard than is required under this Act;
- (c) inspect any business practice, registers, stock and business premises of its members; 5
- (d) make recommendations to the National Commissioner in support of applications for registration;
- (e) assist its members with research and development regarding matters of interest; and 10
- (f) advise the National Commissioner, when requested to do so by the National Commissioner, on industry standards and technological developments in the industry which may affect the application of this Act.

Accreditation

17. (1) The National Commissioner may accredit a dealers' association in the prescribed manner. 15

(2) Different criteria may be prescribed in respect of the accreditation of different types of associations, which the National Commissioner must apply when issuing an accreditation.

(3) These criteria must, amongst other things, include criteria relating to— 20

- (a) trustworthiness and integrity;
- (b) capacity to perform functions in terms of this Act; and
- (c) capacity to advance the purposes of this Act.

Refusal to accredit

18. (1) The National Commissioner must refuse to accredit a dealers' association if the dealers' association concerned has not complied with all the requirements for accreditation. 25

(2) Before refusing to accredit a dealer's association, the National Commissioner must—

- (a) give the dealers' association written notice of the National Commissioner's intention to refuse the accreditation; 30
- (b) give the dealers' association 30 days to submit written representations as to why the National Commissioner should not make the intended decision; and
- (c) duly consider any such representations and the facts pertaining to the matter.

(3) The National Commissioner must notify the dealers' association in writing of any decision taken under this section and state the reasons for and the date on which the decision takes effect in such notice. 35

Cancellation of accreditation

19. (1) The National Commissioner may cancel an accreditation if there is non-compliance by the dealers' association concerned with any criterion for accreditation. 40

(2) The National Commissioner must, before cancelling an accreditation—

- (a) give the dealers' association 30 days' notice in writing to submit written representations as to why the National Commissioner should not cancel accreditation; and 45
- (b) duly consider any representations received, and all the facts pertaining to the matter.

(3) The National Commissioner must notify the dealers' association in writing of any decision taken under this section.

Member registers 50

20. (1) Every accredited association must—

- (a) keep a register of all members in the prescribed form; and
- (b) submit an annual report to the National Commissioner containing such information as may be prescribed.

(2) Section 28 applies with the necessary changes in respect of an association. 55

CHAPTER 4

DEALERS

Records by dealers

21. (1) Unless otherwise provided in this Act, a dealer must keep a register in the prescribed form and record in the register the prescribed particulars regarding every acquisition or disposal of second-hand goods. 5

(2) The particulars must at least include—

(a) particulars in respect of the identity of the person from whom the second-hand goods are acquired, including—

(i) the person's full names, contact address and contact telephone number; 10

(ii) the manner in which the person's identity was verified; and

(iii) the person's identity number.

(b) a description of the second-hand goods and serial number or distinguishing mark or feature of the second-hand goods; 15

(c) the purchase price paid by the dealer;

(d) the number assigned to the second-hand goods by the dealer;

(e) the name and signature of the person who conducted the transaction on behalf of the dealer; and

(f) the date and time of the transaction, the date on which the second-hand goods were sold or an account of how and when the second-hand goods were otherwise disposed of. 20

(3) If the certificate of registration in question is issued with a condition which requires separate registers, such separate registers must be kept in respect of the acquisition and disposal of different classes of second-hand goods. 25

(4) A person acquiring second-hand goods from, or disposing of goods to, a dealer, must furnish such dealer with his or her full name, physical address and an original identity document or passport as proof of his or her identity.

(5) A dealer must obtain and keep a copy of the identity document or passport contemplated in subsection (4). 30

(6) A dealer must retain a register contemplated in subsection (1) and copies of the documents contemplated in subsection (4) for a period of not less than five years, calculated from the date of the relevant transaction.

(7) Every entry in a register in respect of an acquisition or disposal of second-hand goods must be made contemporaneously with the acquisition or disposal in question. 35

False information and stolen goods

22. (1) If a dealer suspects, or on reasonable grounds should suspect, that—

(a) any name, address or document furnished to the dealer is false;

(b) goods or goods for pawn, as the case may be, offered to such a dealer are stolen goods; or 40

(c) the appearance or aspects of an item offered to such dealer has been tampered with or there was an attempt to alter the appearance or aspects thereof in order to conceal the identity of the item,

such dealer must immediately report the matter to a police official on duty at the police station in whose area the dealer carries on business. 45

(2) Upon receipt of a report referred to in subsection (1), the police official involved must take down the report in the prescribed manner and immediately provide the person who made the report with the prescribed acknowledgement of receipt.

(3) A person required to make a report in terms of subsection (1) concerning a suspicion that any other person intends to commit or has committed an offence in terms of this Act, may not continue with and carry out any transaction to which such a suspicion relates. 50

(4) The police official taking down a report contemplated in subsection (2), must immediately provide the designated police officer with a copy of such report, together

with any particulars regarding the registering of any investigation dockets arising from such report.

Restrictions on dealers and pawnbrokers

- 23.** (1) No dealer may—
- (a) acquire or accept in pawn goods from any person under the age of 18; 5
 - (b) store goods elsewhere than on the premises for which a certificate has been issued in terms of this Act;
 - (c) take into his or her possession goods unless he or she is convinced on reasonable grounds that the seller of the goods is the owner or titleholder thereof or is duly authorised to dispose thereof; 10
 - (d) deliver goods acquired by him or her to a person or change the form or alter the appearance thereof until after the expiration date of a period of seven days from the date of acquisition thereof; or
 - (e) accept in pawn any firearms or ammunition as defined in section 1 of the Firearms Control Act, 2000 (Act No. 60 of 2000). 15
- (2) During the period contemplated in subsection (1)(d) or during any period that any pawned goods are subject to a pledge, the articles must be kept separate from all other goods of the same or similar kind and description.

CHAPTER 5

MOTOR VEHICLES 20

Motor vehicle records

- 24.** (1) Subject to section 21, a dealer dealing in second-hand motor vehicles must also record in the prescribed register the particulars regarding every acquisition or disposal of a motor vehicle contemplated in subsection (2). 25
- (2) The particulars contemplated in subsection (1) are—
- (a) the vehicle identification number (VIN), and the chassis and engine number;
 - (b) the odometer reading;
 - (c) the exterior and trim colour; and
 - (d) any distinguishing mark or feature, such as microdot particulars. 30
- (3) A person acquiring or disposing of a motor vehicle from or to a dealer must furnish such dealer with—
- (a) his or her full name;
 - (b) his or her physical address;
 - (c) his or her original identity document or passport as proof of his or her identity; 35
 - (d) proof of registration or deregistration of the motor vehicle.
- (4) A dealer must obtain and keep a copy of the identity document or passport contemplated in subsection (3) and must obtain and keep proof of registration or deregistration, as the case may be, contemplated in that subsection.
- (5) A dealer must retain the copies contemplated in subsection (4) for a period of not less than five years, calculated from the date of the relevant transaction. 40

CHAPTER 6

CONTROLLED METALS

Obligation to register as recycler

- 25.** (1) Every dealer who engages in the business of recycling any controlled metal, must apply to be registered as a recycler, in addition to having to be registered in terms of section 2. 45
- (2) An application for registration must be made to the National Commissioner and must be accompanied by the prescribed documents.

- (3) The National Commissioner must, after consideration of the application and upon being satisfied that the applicant complies with all the requirements, register the applicant as a recycler and issue the prescribed certificate.
- (4) No person may—
- (a) have in his or her possession any apparatus which can be used for the recycling of any controlled metal or any article or substance containing any controlled metal, unless—
 - (i) such person is registered as a recycler; or
 - (ii) in the case of precious metals, such a person is authorised to possess and recycle precious metals under the Precious Metals Act, 2005 (Act No. 37 of 2005), or any other applicable legislation;
 - (b) acquire or dispose of any cable consisting of controlled metal of which the cover has been burnt, unless the seller thereof is able to provide a reasonable explanation for the burnt cover, and only after the matter has been reported to a police official in the manner contemplated in section 22(1)(a); or
 - (c) be in possession of any cable consisting of controlled metal of which the cover has been burnt, unless such person is able to provide a reasonable explanation for the burnt cover.
- (5) If a recycler suspects, or on reasonable grounds should suspect, that the appearance or aspects of any scrap metal offered to him or her has been tampered with or there was an attempt to alter the appearance or aspects thereof in order to conceal the identity of the scrap metal, such recycler must make a report contemplated in section 22(1)(c) which applies with the changes required by the context.

CHAPTER 7

COMMUNICATION EQUIPMENT

Communication equipment records

- 26.** (1) Subject to section 21 and any other applicable law, a dealer dealing in second-hand communication equipment must also record in the prescribed register the particulars regarding every acquisition or disposal of communication equipment contemplated in subsection (2).
- (2) The particulars contemplated in subsection (1) are—
- (a) a description of the communication equipment, including the make and model;
 - (b) the communication equipment's IMEI number, where applicable; and
 - (c) any other distinguishing mark or feature, including any serial number.
- (3) A person acquiring communication equipment from or disposing of communication equipment to a dealer, must furnish such dealer, with his or her—
- (a) full name;
 - (b) physical address; and
 - (c) original identity document or passport as proof of his or her identity.
- (4) A dealer must obtain and keep a copy of the identity document or passport contemplated in subsection (3).
- (5) A dealer must retain copies contemplated in subsection (4) for a period of not less than five years, calculated from the date of the relevant transaction.

CHAPTER 8

POWERS OF POLICE OFFICIAL

Identification by police official

- 27.** A police official, prior to exercising any power in terms of this Chapter, must identify himself or herself to the dealer, owner, employee or person in charge of the premises in question, and must produce his or her appointment certificate issued by the National Commissioner.

Routine inspections

- 28.** (1) A police official may, during times when business activity in respect of second-hand goods is taking place, enter the premises of any registered dealer in order to investigate compliance with this Act and require the dealer, owner, an employee or the person in control of the premises to— 5
- (a) produce the certificate of registration relating to that premises for inspection;
 - (b) produce any register, record, book or other document relating to the goods in or on the premises for inspection or for the purposes of obtaining copies thereof or extracts therefrom;
 - (c) produce any goods found in or on such premises for examination; or 10
 - (d) explain any entry or absence of any entry in any register, book, record or document found therein or thereon.
- (2) If, upon any inspection, a police official discovers that any method of dealing, recording of transactions in registers or storage that is being used is in contravention of this Act, the police official may— 15
- (a) demand immediate discontinuation of the method; and
 - (b) afford the dealer a period of no more than seven days to rectify such method in order to ensure compliance with the Act.
- (3) The dealer, owner, employee or person in charge of premises contemplated in subsection (1) must assist the police official in the performance of his or her functions under this Act. 20
- (4) (a) A police official must conduct at least one comprehensive annual inspection of each registered premises, during which the records contemplated in section 21(1) must be examined.
- (b) On each occasion when a police official inspects a register in terms of subsection (1)(b), such police official must— 25
- (i) sign his or her name immediately after the last entry in that register, and append his or her number and rank and the date on which the inspection was conducted; or
 - (ii) certify in the manner that the National Commissioner may from time to time direct, that the records were inspected. 30

Entry, search, seizure and seal-off

- 29.** (1) A police official, on the authority of a warrant issued in terms of section 30, may—
- (a) enter any premises specified in that warrant; 35
 - (b) direct the person in control of or any person employed at the premises to—
 - (i) disclose any register, record, book, other document or information that pertains to the investigation and is in the possession or under the control of that person; and
 - (ii) render such assistance as the police official requires in order to enable such police official to perform his or her functions under this Act; 40
 - (c) inspect any register, record, book or other document and make copies thereof or excerpts therefrom;
 - (d) examine any goods or other articles found on the premises; 45
 - (e) against the issue of a written receipt, seize records, books, documents or electronic data-storing devices that may be used as evidence of a contravention of any provision of this Act; and
 - (f) seal or seal off the premises at, on or in which second-hand goods are found, in order to prevent a person from conducting business in contravention of this Act. 50
- (2) A police official may not enter upon or search any premises without audibly demanding admission to the premises and giving notice of the purpose of the entry, unless such police official is, on reasonable grounds, of the opinion that such demand and notification will defeat the purpose of the search.
- (3) A police official contemplated in subsection (1) may use such force as may reasonably be necessary to overcome resistance to the entry or search. 55
- (4) Any entry and search in terms of subsection (1) may only be executed by day, unless the execution thereof by night is reasonable and justifiable.

- (5) A police official may without a warrant enter upon any premises and search for, seize and remove anything contemplated in subsection (1) if—
- (a) the person who is competent to do so consents to such entry, search, seizure and removal; or
 - (b) there are reasonable grounds to believe that—
 - (i) a warrant would be issued to the police official if he or she applied for such warrant; and
 - (ii) the delay in obtaining such warrant would defeat the purpose of the search.
- (6) Any goods seized in terms of this section must be dealt with in the manner contemplated in Chapter 2 of the Criminal Procedure Act, 1977 (Act No. 51 of 1977), which applies with the changes required by the context.
- (7) A person from whom any book, record or document has been taken may, at his or her own expense and under supervision of a police official, make copies thereof or excerpts therefrom.

Warrant

- 30.** (1) A warrant to enter, search, seize and seal off premises must be issued by a magistrate or a judge of the High Court who has jurisdiction in the area in which the premises in question are situated, if it appears from information on oath or affirmation that there are reasonable grounds to believe that a provision of this Act has been or is being contravened.
- (2) A warrant issued under this section must specify—
- (a) the premises which may be entered and which of the acts mentioned in section 29(1) may be performed by the police official;
 - (b) the period for which the premises may be sealed off for purposes of section 29(1)(f), which may not exceed seven days; and
 - (c) whether the warrant authorises execution by night.
- (3) A warrant contemplated in this section remains in force until—
- (a) it has been executed;
 - (b) it is cancelled by the person who issued it, or if such person is not available, by any other person with similar authority;
 - (c) one month from the date of its issue; or
 - (d) the purpose for which the warrant was issued no longer exists, whichever occurs first.

Extension of powers

- 31.** (1) The Minister may by notice in the *Gazette*, either generally or subject to such conditions as may be specified in the notice, extend the powers contemplated in this Chapter to any person employed by a public entity contemplated in the Public Finance Management Act, 1999 (Act No. 1 of 1999), or any other statutory body if that person is a peace officer contemplated in section 1 of the Criminal Procedure Act, 1977 (Act No. 51 of 1977).
- (2) The notice contemplated in subsection (1) must set out—
- (a) the extent to and the conditions under which such powers are extended to such person; and
 - (b) the directives that are applicable to such person in the exercise of such powers.

CHAPTER 9

GENERAL PROVISIONS

Offences and penalties

- 32.** (1) A person who—
- (a) fails to comply with section 2(1);
 - (b) fails to apply for registration of all premises in terms of section 3(2);

- (c) furnishes false information in support of an application in terms of section 4;
- (d) furnishes false information in support of an application in terms of section 5;
- (e) contravenes or fails to comply with the prescribed certificate or the conditions specified on such prescribed certificate by—
 - (i) dealing in classes of goods other than those specified on the certificate of registration; 5
 - (ii) conducting business from premises other than those specified on the certificate of registration; or
 - (iii) conducting business in a manner other than specified on the certificate of registration; 10
- (f) contravenes or fails to comply with section 8(1) or (4);
- (g) contravenes or fails to comply with section 10(2) or (6);
- (h) fails to renew registration in terms of section 11(1) and who continues to conduct the business of a dealer;
- (i) fails to surrender or transfers a certificate other than in the manner prescribed in section 12; 15
- (j) contravenes or fails to comply with section 15;
- (k) contravenes or fails to comply with section 21(1), (3), (4), (5), (6), or (7);
- (l) contravenes or fails to comply with section 22(1) or (3);
- (m) contravenes or fails to comply with section 23; 20
- (n) contravenes or fails to comply with section 24(1), (3), (4) or (5);
- (o) contravenes or fails to comply with section 25(1), (4) or (5);
- (p) contravenes or fails to comply with section 26(1), (3), (4) or (5);
- (q) as a dealer contravenes or fails to comply with section 28;
- (r) contravenes or fails to comply with section 37; or 25
- (s) contravenes or fails to comply with section 43(1), (2) or (3),

is guilty of an offence.

(2) Any person convicted of a contravention of or a failure to comply with any section mentioned in Column 1 of Schedule 3, may be sentenced to a fine or to imprisonment for a period not exceeding the period mentioned in Column 2 of that Schedule opposite the number of that section, or to both a fine and such imprisonment. 30

(3) A court may in addition to any other penalty imposed upon conviction of a person of any of the offences under this Act—

- (a) in the event of a continuing contravention, impose a further fine or imprisonment for a period of 30 days or both a fine and such imprisonment for each day on which such contravention continued; 35
- (b) suspend or cancel any exemption granted in terms of this Act;
- (c) suspend or cancel any registration; and
- (d) order that the second-hand goods that formed the subject of the charge against that person, be forfeited to the State. 40

Appeals

33. (1) A dealer who is aggrieved by any decision taken by the National Commissioner in terms of this Act may, in the prescribed manner, appeal to the Minister against that decision.

- (2) The Minister may— 45
 - (a) confirm, set aside or amend the decision taken by the National Commissioner; or
 - (b) make such order with regard thereto as may be fair and practicable.

Lodging of applications and notices

34. An application or notice contemplated in this Act must be lodged with the Designated Police Officer in whose station precinct the dealer, as the case may be, carries on business or stores any second-hand goods or intends to carry on business or intends to store any second-hand goods. 50

Service of documents

35. (1) The manner of service of a notice or other document to be served on or given to a person in terms of this Act may be prescribed.

(2) This section does not apply to notices or other documents served or given during the course of any proceedings in a court of law. 5

Return of service

36. A document that is signed by a police official indicating that the service was effected in accordance with section 35(1) is, upon production in a court, *prima facie* evidence of service of the document.

Defaced, lost or stolen certificates

10

37. (1) If a certificate issued in terms of this Act is lost or stolen, the holder of the certificate must inform the National Commissioner within 30 days of the discovery of the loss or theft.

(2) If a certificate issued in terms of this Act is defaced, lost or stolen, the holder of the certificate must within 30 days of the discovery of the defacement, loss or theft apply to the National Commissioner in the prescribed manner for a copy of the certificate. 15

Delegation

38. (1) The Minister may in writing delegate any function conferred upon the Minister under this Act, except a function referred to in section 33 or 41, to the National Commissioner or any other police official. 20

(2) The National Commissioner may in writing delegate any function conferred upon him or her by this Act to any official in the service of the State or employed by a statutory body.

(3) An official to whom a function has been delegated in terms of subsection (2) must perform the function subject to the control and directions of the National Commissioner. 25

Condonation and extension of time

39. The National Commissioner may, on good cause shown and on grounds which are not in conflict with the objects of this Act, extend any period contemplated in this Act or condone any disqualification contemplated in section 14.

Jurisdiction of magistrates' courts

30

40. Notwithstanding any law to the contrary, a magistrate's court has jurisdiction to impose any penalty provided for in this Act.

Regulations

41. (1) The Minister may make regulations regarding—

(a) any matter that in terms of this Act may or must be prescribed; 35

(b) the form and manner in which an application required under this Act must be made;

(c) all matters related to accreditation, including but not limited to—

(i) the requirements regarding the business form of the dealers' association; 40

(ii) the recommended code of conduct for each type of dealers' association;

(iii) the recommended disciplinary code for each type of dealers' association; and

(iv) guidelines for a fee structure; 45

(d) standard conditions to which registration is subject;

(e) conditions or exemptions with regard to dealing in different classes or kinds of second-hand goods;

(f) conditions or exemptions with regard to members of accredited associations;

(g) conditions with regard to dealing on different premises; 50

- (h) the lay-out of registered premises with regard to different second-hand goods or classes of second-hand goods;
 - (i) the format of a certificate which may be issued under this Act;
 - (j) the withdrawal or amendment of accreditation, registration or a certificate;
 - (k) the format of any notice contemplated in this Act; 5
 - (l) after consultation with the Minister of Finance, fees payable for accreditation, applications for registration or certificates;
 - (m) the format and content of any registers;
 - (n) the information to be furnished by dealers to consumers;
 - (o) the times during which dealers may acquire and dispose of second-hand goods; and 10
 - (p) any ancillary or incidental administrative or procedural matter that it is necessary to prescribe for the proper implementation and administration of this Act.
- (2) The Minister may make different regulations for different categories or classes of— 15
- (a) associations and dealers; and
 - (b) second-hand goods or premises.
- (3) A regulation made under subsection (1) may provide for a penalty, for any contravention thereof or for a failure to comply therewith, of a fine or imprisonment for a period not exceeding 12 months or to both a fine and such imprisonment. 20

Application of Act and Promotion of Administrative Justice Act, 2000

- 42.** (1) This Act does not apply to—
- (a) any second-hand goods sold or disposed of by way of public auction authorised by a warrant of execution under a judgment or order of a court of law; 25
 - (b) any dealer who is a member of an accredited association to the extent that the Minister by notice in the *Gazette* exempts members of such an association from any or all of the provisions of this Act; or
 - (c) any charity organisation to the extent that the Minister by notice in the *Gazette* exempts such charity from any or all of the provisions of this Act. 30
- (2) The Minister may only exempt members of associations that are accredited by the National Commissioner and capable of introducing adequate levels of self-regulation in order to achieve the objects of this Act.
- (3) Any administrative process conducted, or decision taken, in terms of this Act must be conducted or taken in accordance with the Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000), unless otherwise provided for in this Act. 35

CHAPTER 10

Transitional provisions

- 43.** (1) (a) Any person who, immediately before the commencement of this Act, carried on business as a dealer must, within three months of the date of such commencement, apply for registration in terms of section 3. 40
- (b) If an application for registration has been lodged before the end of the period provided for in paragraph (a), the dealer concerned may continue carrying on the business in question, subject to subsections (2) and (3), until the application is decided. 45
- (2) A person contemplated in subsection (1) must enter into a transitional register all the second-hand goods or pawned goods, as the case may be, held by such person for such business purposes until his or her application in terms of section 4 is decided.
- (3) An entry referred to in subsection (2) must set out a full description of the second-hand goods in question, indicating the quantity and colour thereof, identification marks and any other distinguishing features thereon and, in the case of controlled metal, its description and weight and the value thereof as estimated by the dealer concerned. 50

(4) A Designated Police Officer or a police official authorised by the Designated Police Officer must endorse the last entry in the transitional register and on each page thereof of every dealer that applies for registration in terms of subsection (1).

Repeal of laws

44. The laws mentioned in the second column to Schedule 4 are hereby repealed to the extent set out in the third column of that Schedule. 5

Short title and commencement

45. This Act is called the Second-Hand Goods Act, 2009, and comes into operation on a date determined by the President by proclamation in the *Gazette*.

SCHEDULE 1
(Section 1)

GOODS

Jewellery, including unwrought precious metal as defined in the Precious Metals Act, 2005 (Act No. 27 of 2005).	5
Agricultural implements, including tractors, ploughs and harvesters, irrigation equipment or any part or accessory thereof.	
Bicycles or any part or accessory thereof.	
Household and office equipment.	10
Factory equipment and machinery or any part or accessory thereof.	
Tyres of any vehicle or motorcycle.	
Communication equipment or any part or accessory thereof.	
Photographic or optical instruments or any part or accessory thereof.	
Any controlled metal, or any wrought article, or any article or substance consisting wholly or principally of one or more of such metals.	15
Antique goods.	
Motor vehicle or any part or accessory thereof.	
Vehicles or any part or accessory thereof.	
Sporting equipment.	20
Valuables.	
Books.	
Shop-fitting equipment.	

SCHEDULE 2
(Section 1)

25

CONTROLLED METALS

Copper, aluminium, zinc, chrome, lead, white metal, nickel, tungsten, tin, ferrovanadium, ferrosilicon, ferrochrome, brass, bronze, cobalt and precious metals as defined in the Precious Metals Act, 2005 (Act No. 27 of 2005), or any article consisting wholly or principally of any of those metals.	30
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SCHEDULE 3**OFFENCES AND PENALTIES***(Section 32)*

Section	Maximum period of imprisonment	
2(1)	10 years	5
3(2)	10 years	
4	10 years	
5	10 years	
8(1) or (4)	Three years	10
10(2) or (6)	Three years	
11	Three years	
12	Three years	
15	Three years	
21(1)	10 years	15
21(3), (4), (5), (6) or (7)	Five years	
22(1) or (3)	10 years	
23	10 years	
24(1)	10 years	
24(3), (4) or (5)	Five years	20
25(1), (4) or (5)	10 years	
26(1), (3) or (5)	10 years	
28	10 years	
37	Three years	
43(1), (2) or (3)	Three years	25

SCHEDULE 4**LAWS REPEALED***(Section 44)*

No. and year	Short title	Extent of repeal	
Act No. 23 of 1955	Second-hand Goods Act, 1955	The whole	30
Act No. 50 of 1956	General Law Amendment Act, 1956	Section 21	
Act No. 68 of 1957	General Law Amendment Act, 1957	Sections 43 and 44	
Act No. 18 of 1978	Second-hand Goods Amendment Act, 1978	The whole	35
Act No. 88 of 1996	Abolition of Restrictions on the Jurisdictions of Courts Act, 1996	Section 7	



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GOVERNMENT NOTICE

DEPARTMENT OF POLICE

No. R. 703

6 September 2011

SECOND-HAND GOODS ACT, 2009

REGULATIONS FOR ACCREDITATION OF SECOND-HAND GOODS DEALERS' ASSOCIATIONS

The Minister of Police has, under section 41(1)(c) of the Second-Hand Goods Act, 2009 (Act No. 6 of 2009), made the Regulations in the Schedule

SCHEDULE

1. Definitions

In these Regulations any word or expression to which a meaning has been assigned in the Act, shall have that meaning and, unless the context indicates otherwise—

“application form” means the relevant application form published on the Internet web site of the South African Police Service from time to time;

“association” means dealers' association and includes any body corporate;

“constitution” includes the founding or constitutive documents of an association, the constitutional documents of a company and the trust instrument of a trust;

“**responsible person**” means the responsible person contemplated in regulation two; and

“**the Act**” means the Second-Hand Goods Act, 2009 (Act No. 6 of 2009);

2. Nomination of responsible person

An association requiring accreditation must nominate, in writing, at least one natural person who is not disqualified in terms of the Act, to act as a responsible person on behalf of that association.

3. Qualification for nomination

The responsible person must, in order to qualify for nomination, be responsible for the management or day-to-day control of that association.

4. Application for condonation

A responsible person who is disqualified under section 14 of the Act and who wishes to apply for condonation of that disqualification in terms of section 39, must submit a statement under oath to the National Commissioner in which that person sets out—

- (a) all grounds on which he or she is disqualified; and
- (b) sufficient information to satisfy the National Commissioner that—
 - (i) there is good cause to grant condonation; and
 - (ii) condonation will not detrimentally affect that association’s capacity to perform its functions under the Act.

Application for accreditation

5. The responsible person must—

- (a) ensure that the relevant application form is obtained from the office of the Designated Police Officer designated for the area in which the main office of the association is or will be situated, or the official Internet web site of the South African Police Service.
- (b) complete and sign such application form; and
- (c) ensure that the duly completed application form together with all the documents referred to in regulation six is submitted to the office of the National Commissioner.

6. Documents to accompany application

- (1) An application contemplated in regulation five must be accompanied by—
 - (a) the original resolution of the association containing the nomination of each responsible person;
 - (b) a certified copy of the identity document of every person responsible for the management or day-to-day control of the association, including that of each responsible person;
 - (c) documentary proof of the address of the premises from which the association will conduct its affairs;
 - (d) documentary proof of the association's bank account; and
 - (e) the constitution of the association.
- (2) The National Commissioner may by notice to a responsible person require further information regarding—
 - (a) the documents contemplated in this regulation;
 - (b) the association, any person who is responsible for the management or day to day control of that dealers' association, including each responsible person; or
 - (c) factors that relate to any criteria in respect of accreditation.

7. Application of criteria in respect of accreditation

The National Commissioner must, when issuing an accreditation of an association, apply the criteria set out in these regulations.

8. Criteria in respect of the application

- (1) An application must demonstrate that—
 - (a) the organizational structure of that association is capable of performing the functions of an association; and
 - (b) the constitution of that association complies with the requirements of regulation nine.
- (2) An application must describe—
 - (a) the field of trade or industry in which that association represents dealers;
 - (b) the main purpose of that association and its experience in the field of trade or industry in respect of which it was established;
 - (c) any affiliation of the association to relevant national or international organisations;
 - (d) any interest or conflict of interest which may render that association unsuitable for accreditation;
 - (e) the region where that association operates or functions;
 - (f) the time period for which that association has existed or functioned as an association;
 - (g) where applicable, the criteria upon which that association intends to classify its members into different categories; and
 - (h) documents in support of any criteria related to the factors listed in this regulation.
- (3) Where applicable, an application must contain—
 - (a) written representations by members, other persons or associations in support of the application;
 - (b) a description of the basic elements of any research and development program that association may have for its members;
 - (c) a description of the basic elements of any training programmes that association may have or recommend for its members;

- (d) a description of the manner in which that association lawfully disseminates general industry information amongst its members; or
 - (e) any other information that may in the opinion of that association be relevant to ascertain the suitability for accreditation.
- (4) The National Commissioner may, in order to establish whether an association applying for accreditation fulfills the criteria—
- (a) require a set of fingerprints of each responsible person and any person other than a responsible person who is responsible for the management or day to day control of that association;
 - (b) consider the capacity of that association to verify whether or not a member complies and continue to comply with its conditions of membership; and
 - (c) where applicable, consider inputs from interested parties.

9. Criteria in respect of constitution

The constitution of an association must contain—

- (a) an acceptable code of conduct, ethical code or code of good practice that binds its members and their employees;
- (b) a disciplinary code applicable to members of that association which allows for cancellation of membership as a result of misconduct;
- (c) where applicable, a disciplinary code applicable to employees of that association which allows for termination of employment as a result of misconduct;
- (d) the minimum standards contemplated in these regulations that a dealer must comply with in order to become and remain a member of that association;
- (e) where applicable, clear guidelines to prevent contravention of competition laws; and
- (f) where applicable—
 - (i) minimum entry level requirements; and

- (ii) the factors upon which that association categorises its members.

10. Minimum standards relating to membership

Where applicable, minimum standards contemplated in these regulations must consist of the association's own standards pertaining to—

- (a) the type and lay-out of premises from which members or categories of members may conduct business;
- (b) minimum requirements for equipment, information technology and software programs that must be utilized by members;
- (c) a description of the record of transactions to be kept by members; and
- (d) particulars of the manner in which records must be kept.

11. Accreditation

- (1) The National Commissioner may, after considering the application, supporting documents and all the facts pertaining to the matter, accredit an association as an association of—
 - (a) general dealers;
 - (b) auctioneers;
 - (c) jewellers;
 - (d) motor vehicle dealers;
 - (e) scrap metal dealers;
 - (f) recyclers;
 - (g) franchisors;
 - (h) a combination of any of the above; or
 - (i) dealers of any other description that describes the main activities of members of that association.
- (2) For purposes of subregulation (1)—
 - (a) **“general dealer”** means a dealer who deals in a majority of the goods specified in Annexure 1;

- (b) **“jeweller”** means a dealer who deals in jewellery, and includes such a dealer who recycles precious metals as defined in the Precious Metals Act, 2005 (Act No. 37 of 2005) in the course of his or her primary business; and
 - (c) **“franchisor”** means a juristic person who owns the overall rights and trademarks of a company and allows its franchisees to use these rights and trademarks to do business as dealers.
- (3) The National Commissioner may, in order to ensure continued compliance with the Act and these regulations, accredit an association subject to such conditions as may be required.

12. Membership

- (1) An association must, before accepting a dealer as a member of that association satisfy itself that the application of that dealer—
- (a) shows compliance with the minimum requirements for membership or displays the necessary potential to comply with such minimum standards; and
 - (b) shows that the premises from which the dealer intends to conduct business comply with the minimum standards of the dealers’ association or that the dealer displays the necessary potential to equip the premises within a reasonable period to comply with such minimum standards.
- (2) In order to satisfy itself that a dealer complies with subregulation (1), an association must obtain from that dealer—
- (a) sufficient information to enable that association to establish whether that dealer has or needs experience or training in the type of business that person intends conducting; and
 - (b) a statement under oath in which that dealer states—
 - (i) that he or she is not disqualified from registering as a dealer; and
 - (ii) that he or she complies with all applicable legal requirements pertaining to premises used in that particular field of trade or industry; and

- (c) sufficient information pertaining to the premises to enable that association to establish whether the premises comply with the applicable minimum standards as set by that association.

13. Categorisation

- (1) Where applicable, an association must, when accepting a dealer as a member, categorise that dealer according to its own rules regarding—
 - (a) the class of goods that is primarily dealt with by that dealer;
 - (b) the class or size of the dealer's business, whether it be entry level, small, medium or large business; or
 - (c) any other criteria determined by the association.
- (2) After classification in terms of subregulation (1), the association must enter the particulars of the member into its member register.

14. Members of an association of general dealers

- (1) No association of general dealers may accept as a member of that association—
 - (a) a dealer who deals primarily in vehicles or goods relating to vehicles;
 - (b) a recycler or other dealer who deals primarily in controlled metals;
 - (c) a jeweller who deals exclusively in jewellery; or
 - (d) a scrap metal dealer who deals primarily in scrap metal.
- (2) The National Commissioner may, on good cause shown, dispense with any of the provisions of subregulation (1).

15. Members of an association of motor vehicle dealers

An association of motor vehicle dealers may categorize its members according to the primary business of the registered dealer in question, relative to the motor vehicle industry, including but not limited to motor vehicle dealers, motor cycle

dealers, motor vehicle part dealers, motor body repairers, panel beaters and re-manufacturers.

16. Members of an association of franchisors

- (1) An association of franchisors must consist of more than one franchisor that is not part of the same business entity.
- (2) No association of franchisors may accept as a member of that association any juristic person who is not a bona fide franchisor with at least 15 franchised dealers.
- (3) An association of franchisors must ensure that each of the franchised dealers represented by a franchisor comply with the provisions of regulation 12 before that dealer is accepted as a member of that association.

17. Date of submission of annual report

- (1) An association who is accredited in terms of the Act, must submit the report contemplated in section 20(1)(b) of the Act annually before the end of each financial year.
- (2) An association wishing to submit the report annually on or before a date other than contemplated in subregulation (1), may apply in writing to the National Commissioner citing reasons why that report should be submitted on another date.
- (3) Upon being satisfied that sufficient grounds exist for that association to submit the report on or before that date, the National Commissioner may notify that association accordingly.

18. Information to be contained in annual report

The annual report contemplated in section 20(1)(b) must contain particulars of—

- (a) members of the association;

- (b) members or employees of the association who had been the subject of disciplinary action involving a contravention or failure to comply with a provision of the Act or any condition of accreditation;
- (c) the full names and the identification number of a person contemplated in paragraph (b) and, where applicable, particulars of the misconduct and the result of the disciplinary action.

19. Offences and penalties

Any person who –

- (a) falsely states that any person is accredited for the purpose of the Act;
- (b) supplies particulars, information or answers in an application for accreditation knowing it to be false, incorrect or misleading or not believing them to be correct; or
- (c) supplies particulars, information or answers in a form or report required under these regulations knowing it to be false, incorrect or misleading or not believing them to be correct—

is guilty of an offence and is liable to a fine or imprisonment for a period not exceeding 12 months or both such a fine and imprisonment.

20. Administrative justice

Any Designated Police Officer taking an administrative decision in terms of these regulations which may detrimentally affect the rights of a person, must—

- (a) immediately when the decision is made, record in writing the reasons for the decision;
- (b) append his or her signature, together with the date, to the reasons; and
- (c) without delay notify the person concerned in writing of the decision stating the reasons referred to in subregulation (a) as

well as the rank, initials and surname of the decision-maker and the date and place where the decision was taken.

21. Submission of documents and official address

- (1) Any application, notice or other document contemplated in these regulations that must be submitted to the National Commissioner, must be in writing and sent to:
 - (a) The National Commissioner: South African Police Service
Firearms, Liquor and Second-Hand Goods Control
Private Bag X94
Pretoria 0001; or
 - (b) accreditation@saps.org.za
- (2) Where a person completes, signs or submits any application, notice or other document contemplated in these regulations in an electronic format, that person must ensure that all requirements of the Electronic Communications and Transactions Act, 2002 (Act No. 25 of 2002) are met.

22. Short Title

These Regulations shall be called the Regulations for Accreditation of Second-Hand Goods Dealers' Associations, 2010 and shall come into operation on the date of the coming into operation of the Second-Hand Goods Act, 2009.

ANNEXURE 1

Jewellery, including unwrought precious metal as defined in the Precious Metals Act, 2005 (Act No. 27 of 2005).
Agricultural implements including tractors, ploughs and harvesters or any part or accessory thereof.
Bicycles or any part or accessory thereof.
Household and office equipment.
Factory equipment and machinery or any part or accessory thereof.
Tyres of any vehicle or motorcycle.
Communication equipment or any part or accessory thereof.
Photographic or optical instruments or any part or accessory thereof.
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Sporting equipment.
Valuables.
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GOVERNMENT NOTICE GOEWERMENTSKENNISGEWING

DEPARTMENT OF POLICE DEPARTEMENT VAN POLISIE

No. R. 285

3 April 2012

SECOND-HAND GOODS ACT, 2009

REGULATIONS FOR DEALERS AND RECYCLERS

The Minister of Police has, under section 41(1) of the Second-Hand Goods Act, 2009 (Act No. 6 of 2009), made the Regulations in the Schedule

SCHEDULE

1. Definitions

In these Regulations any word or expression to which a meaning has been assigned in the Act, shall have that meaning and, unless the context otherwise indicates—

“**applicant**” means the person applying to be registered as a dealer or recycler in terms of the Act and includes any person contemplated in section 5(1)(d) of the Act;

“**certificate of registration**” means the certificate of registration contemplated in regulation 4 and includes all conditions determined by the National Commissioner;

“**Designated Police Officer**” means the Designated Police Officer designated for the area in which the premises from which the applicant conducts business, is or will be situated;

"responsible person" means the natural person contemplated in section 2(2) of the Act who is nominated in writing by a dealers' association to act on behalf of that dealers' association;

"statement" means a statement made before a Commissioner of Oaths under oath or affirmation; and

"the Act" means the Second-Hand Goods Act, 2009 (Act No. 6 of 2009);

2. Application for registration as dealer

- (1) Any person intending to apply for registration as a dealer in terms of the Act must obtain the relevant application form from the office of the Designated Police Officer or the official Internet website of the South African Police Service at www.saps.gov.za and complete and sign the application form.
- (2) The application form contemplated in subregulation (1) must essentially be in the form and contain the particulars as set out in Annexure "A" to these regulations
- (3) The applicant must ensure that the duly completed application form and all the documents referred to in these regulations are lodged with the office of the Designated Police Officer.

3. Documents to accompany application for registration

An application for registration contemplated in section 3 of the Act must be accompanied by—

- (a) a statement which confirms that—
 - (i) applicant or any other person contemplated in section 5(1)(d) of the Act is not disqualified from being registered as a dealer; and
 - (ii) applicant undertakes to ensure compliance with the requirements of other legislation regulating that business or industry.

- (b) a certified copy of the identity document of the applicant and every person responsible for the management or day-to-day control of the business in question;
- (c) a recent utility account or the lease agreement verifying the address of the premises to which the application relates;
- (d) written proof of the business' bank account;
- (e) a copy of applicant's fingerprints, or where more than one person are involved in the day to day management of the business, a copy of the fingerprints of each person so involved; and
- (f) where applicable—
 - (i) documents which verify applicant's founding as a company, close corporation, trust, business trust, partnership or any other business form;
 - (ii) a certified copy of the identity document of each responsible person;
 - (iii) proof of VAT registration;
 - (iv) a copy of the membership certificate which verifies that applicant is a member of an accredited dealers' association at the time of the application;
 - (v) floor plan of the premises to which the application relates; and
 - (vi) any other documentation that applicant wishes to submit in support of the application, including a copy of any certificate or permit relating to other legislation regulating that industry.

4. Certificate of registration and conditions

- (1) After consideration of the application, the National Commissioner may issue a certificate of registration or temporary registration, depending on the circumstances.
- (2) The National Commissioner may authorize such dealer to carry on business subject to any of the following conditions:

- (a) the dealer may only carry on business of dealing in the goods or classes of goods specified on the certificate;
 - (b) the dealer may acquire or dispose of second-hand goods only during the business hours specified on the certificate; and
 - (c) where such dealer acquires or disposes of second-hand goods to other dealers or recyclers, that the dealer concerned may only acquire such goods from or dispose of such goods to another registered dealer or recycler.
- (3) If the National Commissioner is satisfied that crime trends in a station area or areas indicate that specific steps are necessary to regulate trade in a certain type or category of second-hand goods, he may authorise a dealer to carry on business in that type or category of second-hand goods subject to one or more of the following additional conditions:
 - (a) such dealer must make a daily, weekly or monthly report to the Designated Police Officer, reporting on all transactions regarding a certain type or category of goods;
 - (b) such dealer must deliver a copy of any records that must be kept in terms of the Act or as a condition of membership to an accredited association, to the Designated Police Officer on a daily, weekly or monthly basis; or
 - (c) such dealer must make a weekly or monthly report to the Designated Police Officer containing the full particulars of any person in the employ of that dealer, where such dealer knows or suspects, or should reasonably know or suspect that such employee would be disqualified from registration in terms of section 14(1)(a), (b), (c) or (e) of the Act.
- (4) The National Commissioner may describe the principal business activities of the applicant on the certificate of registration as a—
 - (a) general dealer;
 - (b) auctioneer;
 - (c) jeweller;
 - (d) motor vehicle dealer;
 - (e) scrap metal dealer; or

(f) recycler.

- (5) In the case of a dealer whose principal business activities do not fall under one of the categories set out in subregulation (4), the National Commissioner may describe such principal activities of such dealer on the registration certificate together with such conditions as he or she may deem appropriate to ensure compliance with section 21(2) of the Act.

5. Display and maintenance of membership certificates

- (1) A dealer or recycler who is a member of an accredited association must display the membership certificate—
- (a) in a prominent place clearly visible to the public on the premises;
 - and
 - (b) in proximity to the certificate of registration contemplated in section 15 of the Act;
- (2) In the event that the dealer or recycler is a member of an accredited association whose members have been exempted from any or all of the provisions of the Act, such dealer or recycler must be in possession of a copy of the *Gazette* which contains the notice contemplated in section 42(2)(b) of the Act.
- (3) The certificate and notice contemplated in this regulation must be maintained in such a manner that it can be produced undamaged and in a legible condition.

6. Application for renewal of registration

- (1) Any person intending to apply in terms of the Act for renewal of registration as a dealer or recycler must obtain the relevant application form from the office of the Designated Police Officer or the official Internet website of the South African Police Service at www.saps.gov.za and complete and sign the application form.
- (2) The applicant must ensure that the duly completed application form together with the statement and undertaking referred to in (3) as well

as all other documents required in terms of these regulations are submitted to the office of the Designated Police Officer.

- (3) The applicant must, together with the application form submit—
- (a) a statement under oath or affirmation confirming that applicant—
 - (i) applicant continues to comply with the Act and regulations;
 - and
 - (ii) applicant undertakes to ensure continued compliance with the requirements of other legislation regulating that business or industry.

7. Temporary registration

- (1) If the National Commissioner is satisfied that an applicant for registration as a dealer or recycler shows good cause that—
- (a) such applicant cannot meet one or more of the requirements for registration at the time of application;
 - (b) failure to meet such requirement cannot be attributed to the applicant;
 - (c) there is a reasonable prospect that the failure can be rectified within a period of 12 months; and
 - (d) the applicant shall suffer irreparable economic harm if such business cannot be registered,
- the National Commissioner may, subject to subregulation (2), issue a temporary registration certificate to such applicant.
- (2) A dealer or recycler who is issued with a temporary registration certificate must submit a monthly report to the Designated Police Officer, reporting on the steps he or she has taken to meet the requirement or requirements contemplated in subregulation (1)(a).
- (3) A dealer or recycler who is issued with a temporary registration certificate must apply for registration as a dealer or recycler immediately upon being in a position to meet the requirement contemplated in subregulation (1)(a).

- (4) The National Commissioner may issue a temporary registration certificate subject to the same conditions as contemplated in regulation 4(2) and (3).

8. Records by dealers

- (1) Subject to the provisions of Regulation 9, the register contemplated in section 21(1) of the Act must essentially be in the form and contain the particulars as set out in Annexure "B" to these Regulations.
- (2) Where a dealer or recycler keeps any register in an electronic format, that dealer or recycler must ensure that an inspecting police official may inspect such register through access to the software program with which such electronic register is kept.
- (3) Where a dealer or recycler keeps registers in an electronic format and in the event of an inspection by a police official in terms of section 28(1) of the Act, the dealer, recycler, owner, employee or person in charge of the premises must —
 - (a) provide the police official inspecting the register with—
 - (i) the most recent certificate contemplated in section 28(4)(b)(ii) of the Act; and
 - (ii) a compact disk or other similar storage device with an electronic copy of or extract from the register reflecting all transactions since the most recent certificate contemplated in (i); and
 - (b) comply with any reasonable request from such police official to produce a printout of or an extract from the register which reflects the stock that dealer or recycler has on hand at the premises in question.

9. Registers

A dealer or recycler must keep the applicable register set out in Annexure "B" that corresponds with the description of the principal business activity of that particular dealer or recycler on his or her certificate of registration.

10. Report of false information or stolen goods

- (1) A dealer or recycler reporting an incident as contemplated in section 22(1) of the Act, must retain any photographic or other evidence regarding the person providing the false information or the suspected stolen goods.
- (2) A police official to whom the incident contemplated in subregulation (1) is reported, must immediately upon receiving such report make an entry into the applicable occurrence book of the police station where that official is stationed and allocate a serial number to such entry.
- (3) The police official must supply the person making the report with the serial number allocated to the relevant occurrence book entry, provided that a person making the report telephonically may request the police member to supply that serial number telephonically to him or her.
- (4) In the event that a dealer or recycler is of the opinion that a person who offers for sale cable consisting of controlled metal of which the cover has been burnt, has a reasonable explanation for the burnt cover, that dealer or recycler must note such explanation in the acquisition register.

11. Application to register as recycler

- (1) Any person intending to apply for registration as a recycler in terms of section 25 of the Act, must obtain the relevant application form from the office of the Designated Police Officer or the official Internet website of the South African Police Service at www.saps.gov.za, complete the appropriate portion and sign the application form.
- (2) The application form contemplated in subregulation (1) must essentially be in the form and contain the particulars as set out in Annexure "A" to these regulations
- (3) The applicant must ensure that the duly completed application form and all the documents referred to in these regulations are lodged with the office of the Designated Police Officer.

12. Documents to accompany application for registration as recycler

An application for registration as a recycler under section 25 of the Act which is not lodged simultaneously with an application for registration as a dealer under section 3 of the Act must be accompanied by—

- (a) a statement which confirms that—
 - (i) applicant is registered or in the process of being registered as a dealer;
 - (ii) applicant or any other person contemplated in section 5(1)(d) of the Act is not disqualified from being registered as a dealer or recycler;
 - (iii) applicant undertakes to ensure compliance with the requirements of other legislation regulating that business or industry; and
- (b) any other documentation that applicant wishes to submit in support of the application, including a copy of any certificate or permit relating to other legislation regulating that industry.

13. Certificate of registration as a recycler and conditions

- (1) After consideration of the application, the National Commissioner may issue a certificate of registration or temporary registration, depending on the circumstances.
- (2) The National Commissioner may authorize such recycler to carry on business subject to any of the following conditions:
 - (a) the recycler may only carry on business of dealing in the goods or classes of goods specified on the certificate;
 - (b) the recycler may acquire or dispose of second-hand goods only during the business hours specified on the certificate; and
 - (c) where such recycler acquires or disposes of second-hand goods to other dealers or recyclers, that the recycler concerned may only acquire such goods from or dispose of such goods to another registered dealer or recycler.

- (3) If the National Commissioner is satisfied that crime trends in a station area or areas indicate that specific steps are necessary to regulate trade in a certain type or category of second-hand goods, he may authorise a recycler to carry on business in that type or category of second-hand goods subject to one or more of the following additional conditions:
- (a) such recycler must make a daily, weekly or monthly report to the Designated Police Officer, reporting on all transactions regarding a certain type or category of goods;
 - (b) such recycler must deliver a copy of any records that must be kept in terms of the Act or as a condition of membership to an accredited association, to the Designated Police Officer on a daily, weekly or monthly basis; or
 - (c) such recycler must make a weekly or monthly report to the Designated Police Officer containing the full particulars of any person in the employ of that recycler, where such recycler knows or suspects, or should reasonably know or suspect that such employee would be disqualified from registration in terms of section 14(1)(a), (b), (c) or (e) of the Act.

14. Manner of appeal

- (1) Any dealer or recycler wishing to appeal against a decision contemplated in section 33(1) of the Act, must lodge a statement and all documents or copies of documents pertaining to the matter at the office of the Minister, either by hand or by registered post, within 30 days from the date of the relevant decision.
- (2) The statement referred to in (1) must set out the circumstances of the appeal and all grounds upon which the appellant rely in order to enable the Minister to reach a final decision.

15. Offences and penalties

Any dealer or recycler who—

- (a) contravenes or fails to comply with regulation 5(1)(a), 5(1)(b), 5(2) or 5(3);
- (b) contravenes or fails to comply with regulation 7(2) or 7(3);
- (c) contravenes or fails to comply with regulation 8(3)(a)(i), 8(3)(a)(ii), or 8(3)(b); or
- (d) contravenes or fails to comply with regulation 10(1) or (4).

is guilty of an offence and liable on conviction to a fine or imprisonment not exceeding 12 months or both such fine or imprisonment.

16. Short Title

These Regulations shall be called the Regulations for Dealers and Recyclers, 2012 and shall come into operation on the date of the coming into operation of the Second-Hand Goods Act, 2009.

ANNEXURE "A"**MINIMUM PARTICULARS TO BE IN APPLICATION FORM****1. PARTICULARS OF APPLICANT**

- 1.1. Name
- 1.2. ID Number / Passport Number
- 1.3. Residential Address
- 1.4. Postal Address
- 1.5. Telephone numbers
- 1.6. e-Mail
- 1.7. SA Citizen
- 1.8. Disqualification (section 14)

2. PARTICULARS OF BUSINESS

- 2.1. Name of Business
- 2.2. Business Address
- 2.3. Postal Address
- 2.4. Telephone numbers
- 2.5. e-Mail
- 2.6. Registered as Company / Close Corporation / Trust /Business trust
- 2.7. Registered name
- 2.8. Trading name
- 2.9. Registration Number

3. RESPONSIBLE PERSON

- 3.1. Name
- 3.2. ID Number / Passport Number
- 3.3. Residential Address
- 3.4. Postal Address
- 3.5. Telephone numbers
- 3.6. e-Mail
- 3.7. SA Citizen

4. PERSON IN CONTROL OF/OR RESPONSIBLE FOR MANAGEMENT OF THE COMPANY, CLOSE CORPORATION, TRUST OR PARTNERS IN CASE OF A PARTNERSHIP

- 4.1. Name
- 4.2. ID Number / Passport Number
- 4.3. Residential Address
- 4.4. Postal Address
- 4.5. Telephone numbers
- 4.6. e-Mail
- 4.7. SA Citizen

5. MEMBERSHIP OF ACCREDITED ASSOCIATION

- 5.1. Name of Association
- 5.2. Accreditation Number
- 5.3. Responsible person
- 5.4. Office Address
- 5.5. Postal Address
- 5.6. Telephone numbers
- 5.7. e-Mail
- 5.8. Membership Number
- 5.9. Category of membership

6. PARTICULARS OF BUSINESS

- 6.1. General dealer
- 6.2. Auctioneer
- 6.3. Jeweller
- 6.4. Motor vehicle dealer
- 6.5. Scrap metal dealer
- 6.6. Recycler
- 6.7. Other

7. GOODS TO BE TRADED IN

- 7.1. Type of goods
- 7.2. Category
- 7.3. Business Hours

8. PREMISES

- 8.1. Type of premises
- 8.2. More than one premises
- 8.3. Floor plan
- 8.4. Recycling equipment

**ANNEXURE "B1-1"
ACQUISITION REGISTER: GENERAL DEALER**

ACQUIRED FROM	NUMBER ASSIGNED TO GOODS OR DESCRIPTION	PERSON CONDUCTING TRANSACTION ON BEHALF OF DEALER	DATE AND TIME OF TRANSACTION	DATE GOODS SOLD OR MANNER DISPOSED OF
Full names:	Make:	Full names:	Date:	Date:
Identity Number:	Model:			
Manner in which Identity verified:	Serial Number:		Time:	
Contact Address:	Communication Equipment IMEI number:	PURCHASE PRICE		Manner of Disposal:
Telephone Number:	Other particulars:	R		

**ANNEXURE "B1-1"
DISPOSAL REGISTER: GENERAL DEALER**

DISPOSED TO	NUMBER ASSIGNED TO GOODS OR DESCRIPTION	PERSON CONDUCTING DISPOSAL TRANSACTION ON BEHALF OF DEALER	DATE AND TIME OF TRANSACTION
Full names:	Make:	Full names:	Date:
Identity Number:	Model:		
Manner in which Identity verified:	Serial Number:		Time:
Contact Address:	Other particulars:		
Telephone number:			

ANNEXURE "B2-1"
ACQUISITION REGISTER: AUCTIONEER

ACQUIRED FROM	PERSON CONDUCTING AUCTION	DATE AND TIME OF TRANSACTION	DATE GOODS SOLD
Full names: Identity Number: Manner in which Identity verified: Contact Address: Telephone Number:	Full names: Date: Time: Manner of Disposal:	Date: Time: Manner of Disposal:	Date: Manner of Disposal:
NUMBER / LOT ASSIGNED TO ITEM	FULL DESCRIPTION OF ITEM Make: Model: Serial Number: In case of communication equipment, the IMEI number: Vehicle Registration Number: Vehicle Identification Number: Vehicle Engine Number: Vehicle Chassis Number: Vehicle Odometer Reading: Vehicle Exterior and Trim Colour: Microdot Particulars:		
	PURCHASE PRICE		

ANNEXURE "B2-2"

DISPOSAL REGISTER: AUCTIONEER

DISPOSED TO	PERSON CONDUCTING AUCTION	DATE AND TIME OF TRANSACTION	DATE GOODS SOLD
Full names:	Full names:	Date:	Date:
Identity Number:		Time:	Manner of Disposal:
Manner in which Identity verified:	FULL DESCRIPTION OF ITEM		
Contact Address:			
Telephone Number:			
NUMBER / LOT ASSIGNED TO ITEM	Make:		
	Model:		
	Serial Number:		
	In case of communication equipment, the IMEI number:		
	Vehicle registration number		
	Vehicle Identification Number :		
	Vehicle Engine Number:		
	Vehicle Chassis Number:		
	Vehicle Odometer Reading:		
	Vehicle Exterior and Trim Colour:		
	Microdot Particulars:		

**ANNEXURE "B3-1"
ACQUISITION REGISTER: JEWELLER**

ACQUIRED FROM	FULL DESCRIPTION OF ITEM	PERSON CONDUCTING TRANSACTION ON BEHALF OF DEALER	DATE AND TIME OF TRANSACTION	DATE GOODS SOLD OR MANNER DISPOSED OF
Full names:	Photograph of item: YES / NO	Full names:	Date:	Date:
Identity Number:		PURCHASE PRICE	Time:	Manner of Disposal:
Manner in which Identity verified:				
Contact Address:		R		
Telephone Number:				

**ANNEXURE "B3-2"
DISPOSAL REGISTER: JEWELLER**

DISPOSED TO	FULL DESCRIPTION OF GOODS	PERSON CONDUCTING DISPOSAL TRANSACTION ON BEHALF OF DEALER	DATE AND TIME OF TRANSACTION
Full names:		Full names:	Date:
Identity Number:		Time:	
Manner in which Identity verified:			
Contact Address:			
Telephone number:			

ANNEXURE "B4-1"
ACQUISITION REGISTER: VEHICLE DEALER

ACQUIRED FROM	PERSON CONDUCTING TRANSACTION	DATE AND TIME OF TRANSACTION	DATE GOODS SOLD
Full names:	Full names:	Date:	Date:
Identity Number:			
Manner in which Identity verified:		Time:	Manner of Disposal:
Contact Address:			
Telephone Number:			
FULL DESCRIPTION OF VEHICLE			
Make:		DISPOSAL REGISTER REFERENCE	PURCHASE PRICE
Model:		NUMBER	
Registration Number:			
Vehicle Identification Number :			
Vehicle Engine Number:			
Vehicle Chassis Number:			
Vehicle Odometer Reading:			
Vehicle Exterior and Trim Colour:			
Microdot Particulars:			
Other features:			

ANNEXURE "B4-2"

DISPOSAL REGISTER: VEHICLE DEALER

DISPOSED OF TO	PERSON CONDUCTING TRANSACTION	DATE AND TIME OF TRANSACTION	DATE GOODS SOLD
Full names:	Full names:	Date:	Date:
Identity Number:			
Manner in which identity verified:		Time:	Manner of Disposal:
Contact Address:			
Telephone Number:			
FULL DESCRIPTION OF VEHICLE		REFERENCE NUMBER	PURCHASE PRICE
Make:			
Model:			
Registration Number:			
Vehicle Identification Number :			
Vehicle Engine Number:			
Vehicle Chassis Number:			
Vehicle Odometer Reading:			
Vehicle Exterior and Trim Colour:			
Microdot Particulars:			
Other features:			

ANNEXURE "B5-1"
REGISTER OF ACQUISITION: SCRAP METAL DEALERS

ACQUIRED FROM	FULL DESCRIPTION OF ITEM	PERSON CONDUCTING TRANSACTION ON BEHALF OF DEALER	DATE AND TIME OF TRANSACTION	DATE ITEM SOLD AND MANNER DISPOSED OF
Full names:	Weight: Photograph of goods: YES / NO	Full names: PURCHASE PRICE	Date:	Date:
Identity Number:			Manner of Disposal:	
Manner in which Identity verified:			Time:	
Contact Address:		R		
Vehicle registration:				
Telephone Number:				
In the event that the item is cable consisting of controlled metal of which the cover has been burnt, the explanation provided by the seller for the burnt cover:				

ANNEXURE "B5-2"
REGISTER OF DISPOSAL: SCRAP METAL DEALERS

DISPOSED TO	WEIGHT AND FULL DESCRIPTION OF GOODS	PERSON CONDUCTING DISPOSAL TRANSACTION ON BEHALF OF DEALER	DATE AND TIME OF TRANSACTION
Full names:	Full names:	Full names:	Date:
Identity Number:			Time:
Manner in which Identity verified:			
Contact Address:			
Telephone number:			

WET OP TWEEDEHANDSE GOED, 2009

REGULASIES VIR HANDELAARS EN HERWINNERS

Die Minister van Polisie het, kragtens artikel 41(1)(c) van die Wet op Tweedehandse Goed, 2009 (Wet No. 6 van 2009), die regulasies in die Bylae uitgevaardig.

BYLAE

1. Woordomsrywings

In hierdie Regulasies het enige woord of uitdrukking waaraan 'n betekenis in die Wet toegeken is sodanige betekenis en, tensy uit die samehang anders blyk, beteken—

“Aangewese Polisie-offisier” die Aangewese Polisie-offisier wat aangewys is vir die area waarin die perseel waarvandaan die aansoeker handeldryf, geleë is of sal wees;

“aansoeker” die persoon wat aansoek doen om as handelaar of herwinner geregistreer te word kragtens die Wet en sluit enige persoon bedoel in artikel 5(1)(d) van die Wet in;

“die Wet” die Wet op Tweedehandse Goed, 2009 (Wet No. 6 van 2009);

“registrasiesertifikaat” die registrasiesertifikaat bedoel in regulasie 4 met inbegrip van alle voorwaardes gestel deur die Nasionale Kommissaris;

”verantwoordelike persoon” ‘n natuurlike persoon bedoel in artikel 2(2) van die Wet wat skriftelik genomineer is deur die handelaarsvereniging om namens daardie handelaarsvereniging op te tree; en

“verklaring” ‘n verklaring wat onder eed of bevestiging afgelê is voor ‘n Kommissaris van Ede.

2. Aansoek om registrasie

- (1) Enige persoon wat van voorneme is om kragtens die Wet aansoek te doen om registrasie as ‘n handelaar, moet die toepaslike aansoekvorm verkry vanaf die kantoor van die Aangewese Polisie-offisier of vanaf die amptelike Internet-webwerf van die Suid-Afrikaanse Polisie by www.saps.gov.za en dit voltooi en onderteken.
- (2) Die aansoekvorm beoog in subregulasie (1) moet wesenlik in die formaat wees en die besonderhede vervat soos dit in Aanhangsel “A” uiteengesit is.
- (3) Die aansoeker moet toesien dat die behoorlik voltooide aansoekvorm en alle dokumente waarna in hierdie regulasies verwys word ingedien word by die kantoor van die Aangewese Polisie-offisier.

3. Dokumente wat aansoek om registrasie moet vergesel

‘n Aansoek om registrasie bedoel in artikel 3 van die Wet moet vergesel word van—

- (a) ‘n verklaring wat bevestig dat—
 - (i) die aansoeker of enige ander persoon bedoel in artikel 5(d) van die Wet nie van registrasie as ‘n handelaar gediskwalifiseer is nie;
 - (ii) die aansoeker onderneem om toe te sien dat voldoen word aan ander wetgewing wat sodanige besigheid of bedryf reguleer.

- (b) 'n gesertifiseerde afskrif van die identiteitsdokument van die aansoeker en elke persoon wat verantwoordelik is vir die bestuur of daaglikse beheer oor die betrokke besigheid;
- (b) die toepaslike diensterekening of huurooreenkoms wat die adres van die perseel waarop die aansoek betrekking het, bevestig;
- (c) dokumentêre bewys van die besigheid se bankrekening;
- (d) 'n afskrif van die aansoeker se vingerafdrukke, of waar meer as een persoon betrokke is in die daaglikse beheer oor die besigheid, 'n afskrif van die vingerafdrukke van elke persoon wat betrokke is;
- (e) waar toepaslik—
 - (i) dokumente wat die aansoeker se oprigting as 'n maatskappy, beslote korporasie, trust, besigheidstrust, vennootskap of enige ander besigheidsvorm bevestig;
 - (ii) 'n gesertifiseerde afskrif van die identiteitsdokument van iedere verantwoordelike persoon;
 - (ii) bewys van die BTW-registrasie;
 - (iii) 'n afskrif van die lidmaatskapsertifikaat wat bevestig dat die aansoeker ten tyde van die aansoek lid van 'n geakkrediteerde handelaarsvereniging is;
 - (iv) die vloerplan van die perseel waarop die aansoek betrekking het; en
 - (v) enige ander dokumente wat die aansoeker ter ondersteuning van die aansoek wil indien, insluitend 'n afskrif van enige sertifikaat of permit wat verband hou met ander wetgewing wat so 'n besigheid of bedryf reguleer.

4. Registrasiesertifikaat en voorwaardes

- (1) Na oorweging van die aansoek, kan die Nasionale Kommissaris 'n registrasiesertifikaat of tydelike registrasiesertifikaat uitreik, na gelang van die omstandighede.
- (2) Die Nasionale Kommissaris kan so 'n handelaar magtig om handel te dryf onderhewig aan enige van die volgende voorwaardes:

- (a) die betrokke handelaar mag slegs sake doen deur handel te dryf met die goedere of klasse van goedere wat op die sertifikaat uiteengesit word;
 - (b) die betrokke handelaar mag alleenlik tweedehandse goedere verkry of daaroor beskik gedurende die besigheidsure wat op die sertifikaat uiteengesit is; en
 - (c) waar so 'n handelaar tweedehandse goedere verkry of daaroor beskik aan ander handelaars of herwinners, dat die betrokke handelaar sodanige goedere alleenlik mag verkry van of oor sodanige goedere beskik na 'n ander geregistreerde handelaar of herwinner.
- (3) Indien die Nasionale Kommissaris tevrede is dat die misdaadtendense in 'n stasiearea of -areas daarop dui dat spesifieke stappe nodig is om die handel in 'n sekere tipe of kategorie van tweedehandse goedere te reguleer, kan hy of sy die magtiging om handel te dryf onderhewig maak aan een of meer van die volgende voorwaardes:
- (a) sodanige handelaar moet 'n daaglikse, weeklikse of maandelikse verslag voorlê aan die Aangewese Polisie-offisier, waarin verslag gedoen word oor alle transaksies met betrekking tot 'n sekere tipe of kategorie van goedere;
 - (b) sodanige handelaar moet 'n afskrif van enige rekords wat gehou moet word kragtens die Wet of as 'n voorwaarde van lidmaatskap van 'n geakkrediteerde vereniging, by die Aangewese Polisie-offisier op 'n daaglikse, weeklikse of maandelikse basis aflewer;
 - (c) sodanige handelaar moet 'n weeklikse of maandelikse verslag aan die aangewese polisiebeampte voorlê met volle besonderhede van enige persoon in die diens van die handelaar, waar sodanige handelaar weet of vermoed, of redelikerwys behoort te weet of te vermoed dat sodanige werknemer gediskwalifiseer sou wees van registrasie in terme van artikel 14 (1) (a), (b), (c) of (e) van die Wet.

- (4) Die Nasionale Kommissaris kan die belangrikste sakebedrywighede van die aansoeker op die registrasiesertifikaat beskryf as dié van 'n—
- (a) algemene handelaar;
 - (b) afslaer;
 - (c) juwelier;
 - (d) motorvoertuighandelaar;
 - (e) skroothandelaar; of
 - (f) herwinner.
- (5) In die geval van 'n handelaar wie se belangrikste sakebedrywighede nie binne een van die kategorieë uiteengesit in (4) val nie, kan die Nasionale Kommissaris 'n registrasiesertifikaat uitreik met 'n beskrywing van die belangrikste sakebedrywighede van so 'n handelaar tesame met sulke voorwaardes as wat hy of sy toepaslik mag vind om voldoening aan artikel 21(2) te verseker.

5. Vertoon en onderhou van lidmaatskapsertifikate

- (1) 'n Handelaar of herwinner wat lid is van 'n geakkrediteerde vereniging moet die lidmaatskapsertifikaat vertoon—
- (a) op 'n prominente plek waar dit duidelik sigbaar is vir die publiek op die perseel; en
 - (b) in die nabyheid van die registrasiesertifikaat beoog in artikel 15 van die Wet
- (2) In die geval waar die handelaar of herwinner lid is van 'n geakkrediteerde vereniging waarvan die lede van enige of al die bepalings van die Wet vrygestel is, moet so 'n handelaar of herwinner in besit wees van 'n afskrif van die Staatskoerant waarin die kennisgewing beoog in artikel 42(2)(b) van die Wet, verskyn.
- (3) Die sertifikaat en kennisgewing beoog in hierdie regulasie moet onderhou word op so 'n wyse dat dit onbeskadig en in 'n leesbare toestand vertoon kan word.

6. Aansoek om hernuwing van registrasie

- (1) Enige persoon wat van voorneme is om kragtens die Wet aansoek te doen vir hernuwing van registrasie as 'n handelaar of herwinner, moet die toepaslike aansoekvorm verkry vanaf die kantoor van die Aangewese Polisie-offisier of vanaf die amptelike Internet-webwerf van die Suid-Afrikaanse Polisie diens by www.saps.gov.za en dit voltooi en onderteken.
- (2) Die aansoeker moet toesien dat die behoorlik voltooide aansoekvorm tesame met die verklaring en onderneming waarna in (3) verwys word asook alle dokumente wat in hierdie regulasies vereis word, ingedien word by die kantoor van die Aangewese Polisie-offisier.
- (3) Die aansoeker moet tesame met die aansoekvorm—
 - (a) 'n verklaring indien wat bevestig dat—
 - (iii) die aansoeker steeds voldoen aan die Wet en regulasies; en
 - (iv) die aansoeker onderneem om toe te sien dat voortdurend voldoen word aan ander wetgewing wat sodanige besigheid of bedryf reguleer.

7. Tydelike registrasie

- (1) Indien die Nasionale Kommissaris tevrede is dat 'n aansoeker om registrasie as 'n handelaar of herwinner goeie redes aanvoer dat—
 - (a) sodanige aansoeker nie ten tyde van die aansoek kan voldoen aan een of meer van die registrasievereistes nie;
 - (b) versuim om so aan sodanige vereiste te voldoen, nie toegeskryf kan word aan die aansoeker nie;
 - (c) daar 'n redelike vooruitsig is dat die versuim binne 'n tydperk van 12 maande reggestel kan word; en
 - (d) die aansoeker onherstelbare ekonomiese skade sal ly indien sodanige besigheid nie geregistreer kan word nie,kan die Nasionale Kommissaris, onderhewig aan (2), 'n tydelike registrasiesertifikaat aan die aansoeker uitreik.

- (2) 'n Handelaar of herwinner wat met 'n tydelike registrasiesertifikaat uitgereik word, moet 'n maandelikse verslag aan die aangewese polisiebeampte voorlê waarin verslag gedoen word oor die stappe wat hy of sy geneem het om aan die vereiste of vereistes beoog in (1)(a) te voldoen.
- (3) 'n Handelaar of herwinner wat met 'n tydelike registrasiesertifikaat uitgereik is, moet onverwyld aansoek doen om registrasie as 'n handelaar of herwinner sodra daar aan die vereistes beoog in (1)(a) voldoen kan word.
- (4) Die Nasionale Kommissaris kan 'n tydelike registrasiesertifikaat onderhewig aan dieselfde voorwaardes beoog in regulasie 4(2) en (3) uitreik.

8. Aantekeninge deur handelaars

- (1) Onderhewig aan die bepalings van regulasie 9, moet die register bedoel in artikel 21 (1) van die Wet, wesenlik in die formaat wees en die besonderhede vervat soos dit in Aanhangsel "B" tot die regulasies uiteengesit is.
- (2) In gevalle waar 'n handelaar of herwinner aantekeninge in 'n elektroniese formaat hou, moet daardie handelaar of herwinner toesien dat 'n inspekterende polisiebeampte sodanige register kan ondersoek deur toegang te verkry tot die sagteware-program waarmee so 'n elektroniese register bygehou word.
- (3) In gevalle waar 'n handelaar of 'n herwinner aantekeninge in elektroniese formaat hou en in die geval van 'n inspeksie deur 'n polisiebeampte kragtens artikel 28 (1) van die Wet, moet die handelaar, herwinner, eienaar, werknemer of persoon in beheer van die perseel—
 - (a) die polisiebeampte wat die register nasien voorsien van—
 - (i) die mees onlangse sertifikaat bedoel in artikel 28(4)(b)(ii) van die Wet; en
 - (ii) 'n kompakskyf of ander soortgelyke bergingstoestel met 'n elektroniese weergawe van of uittreksel uit die register wat

alle transaksies weergee sedert die mees onlangse
sertifikaat bedoel in (i); en

- (b) voldoen aan enige redelike versoek van sodanige
polisiebeampte om 'n drukstuk met 'n uittreksel van die register
te toon waarin die voorraad aangedui word wat daardie
handelaar of herwinner op hande het by die betrokke perseel.

9. Registers

'n Handelaar of herwinner moet die toepaslike register in Aansluiting "B" hou
wat ooreenstem met die beskrywing van die belangrikste sakebedrywighede
van daardie spesifieke handelaar of herwinner op sy of haar
registrasiesertifikaat.

10. Rapport aangaande valse inligting of gesteelde goedere

- (1) 'n Handelaar of herwinner wat 'n voorval beoog in artikel 22(1) van die
Wet, moet enige fotografiese of ander getuienis ten opsigte van die
persoon wat die valse inligting of die vermoedelik gesteelde goedere
verstrek, behou.
- (2) 'n Polisiebeampte aan wie 'n voorval beoog in subregulasie (1)
gerapporteer word, moet onverwyld by ontvangs van so 'n rapport 'n
inskrywing maak in die voorvalleboek van die polisiestasie waar
daardie beampte werksaam is en 'n reeksnommer aan sodanige
inskrywing toeken.
- (3) Die polisiebeampte moet die betrokke persoon wat die rapport maak
voorsien van die reeksnommer wat toegeken is aan die betrokke
inskrywing in die voorvalleboek, met dien verstande dat die persoon
wat die rapport telefonies maak, die polisiebeampte kan versoek om
daardie reeksnommer telefonies te verskaf.
- (4) In die geval dat 'n handelaar of herwinner van oordeel is dat 'n
persoon wat kabel wat uit beheerde metaal bestaan waarvan die
omhulsel gebrand is te koop aanbied, 'n redelike verduideliking vir die
gebrande omhulsel het, moet daardie handelaar of herwinner 'n

aantekening in die verkrygingsregister maak van sodanige verduideliking.

11. Aansoek om as herwinner te registreer

- (1) Enige persoon wat van voorneme is om aansoek te doen om registrasie as 'n herwinner kragtens artikel 25 van die Wet, moet die toepaslike aansoekvorm verkry vanaf die kantoor van die Aangewese Polisie-offisier of vanaf die amptelike Internet-webwerf van die Suid-Afrikaanse Polisie diens by www.saps.gov.za en die toepaslike deel voltooi en die aansoekvorm onderteken.
- (2) Die aansoekvorm beoog in subregulasie (1) moet wesenlik in die formaat wees en die besonderhede vervat soos dit in Aanhangsel "A" uiteengesit is.
- (3) Die aansoeker moet toesien dat die behoorlik voltooide aansoekvorm en alle dokumente waarna in hierdie regulasies verwys word ingedien word by die kantoor van die Aangewese Polisie-offisier.

12. Dokumente wat aansoek om registrasie as herwinner moet vergesel

'n Aansoek om registrasie as 'n herwinner kragtens artikel 25 van die Wet wat nie gelyktydig met 'n aansoek kragtens artikel 3 van die Wet ingedien word nie, moet vergesel word van—

- (a) 'n verklaring wat bevestig dat—
 - (i) die aansoeker geregistreer is of in die proses van registrasie is as handelaar;
 - (ii) die aansoeker of enige ander persoon bedoel in artikel 5(d) van die Wet nie van registrasie as 'n handelaar of herwinner gediskwalifiseer is nie;
 - (iii) die aansoeker onderneem om toe te sien dat voldoen word aan ander wetgewing wat sodanige besigheid of bedryf reguleer.

- (b) enige ander dokumente wat die aansoeker ter ondersteuning van die aansoek wil indien, insluitend 'n afskrif van enige sertifikaat of permit wat verband hou met ander wetgewing wat so 'n besigheid of bedryf reguleer.

13. Registrasiesertifikaat as 'n herwinner en voorwaardes

- (1) Na oorweging van die aansoek, kan die Nasionale Kommissaris 'n registrasiesertifikaat of tydelike registrasiesertifikaat uitreik, na gelang van die omstandighede.
- (2) Die Nasionale Kommissaris kan so 'n herwinner magtig om handel te dryf onderhewig aan enige van die volgende voorwaardes:
 - (a) die betrokke herwinner mag slegs sake doen deur handel te dryf met die goedere of klasse van goedere wat op die sertifikaat uiteengesit word;
 - (b) die betrokke herwinner mag alleenlik tweedehandse goedere verkry of daarvoor beskik gedurende die besigheidsure wat op die sertifikaat uiteengesit is; en
 - (c) waar so 'n herwinner tweedehandse goedere verkry of daarvoor beskik aan ander handelaars of herwinners, dat die betrokke herwinner sodanige goedere alleenlik mag verkry van of oor sodanige goedere beskik na 'n ander geregistreerde handelaar of herwinner.
- (3) Indien die Nasionale Kommissaris tevrede is dat die misdaadtendense in 'n stasiearea of -areas daarop dui dat spesifieke stappe nodig is om die handel in 'n sekere tipe of kategorie van tweedehandse goedere te reguleer, kan hy of sy 'n herwinner magtig om handel te dryf in daardie tipe of kategorie tweedehandse goedere onderhewig aan een of meer van die volgende voorwaardes:
 - (a) sodanige herwinner moet 'n daaglikse, weeklikse of maandelikse verslag voorlê aan die Aangewese Polisie-offisier, waarin verslag gedoen word oor alle transaksies met betrekking tot 'n sekere tipe of kategorie van goedere;

- (b) sodanige herwinner moet 'n afskrif van enige rekords wat gehou moet word kragtens die Wet of as 'n voorwaarde van lidmaatskap van 'n geakkrediteerde vereniging, by die Aangewese Polisie-offisier op 'n daaglikse, weeklikse of maandelikse basis aflewer;
- (c) sodanige herwinner moet 'n weeklikse of maandelikse verslag aan die aangewese polisiebeampte voorlê met volle besonderhede van enige persoon in die diens van die herwinner, waar sodanige herwinner weet of vermoed, of redelikerwys behoort te weet of te vermoed dat sodanige werknemer gediskwalifiseer sou wees van registrasie in terme van artikel 14 (1) (a), (b), (c) of (e) van die Wet.

14. Wyse van appèllering

- (1) Enige handelaar of herwinner wat van voornemens is om te appelleer teen 'n besluit bedoel in artikel 33 (1) van die Wet, moet 'n verklaring tesame met alle dokumente of afskrifte wat met die aangeleentheid verband hou, per hand of per geregistreerde pos liasseer by die kantoor van die Minister, binne 30 dae vanaf datum van die betrokke besluit.
- (2) Die verklaring in (1) bedoel moet die omstandighede van die appèl tesame met die gronde waarop die appellant staatmaak uiteensit, om die Minister in staat te stel om 'n finale besluit te neem.

15. Misdrywe en strawwe

Enige handelaar of herwinner wat—

- (a) regulasie 5(1)(a), 5(1)(b), 5(2) of 5(3) oortree of versuim om daaraan te voldoen;
- (b) regulasie 7(2) of 7(3) oortree of versuim om daaraan te voldoen;
- (c) regulasie 8(3)(a)(i); 8(3)(a)(ii); of 8(3)(b) oortree of versuim om daaraan te voldoen;

(d) regulasie 10(1) of (4) oortree of versuim om daaraan te voldoen;

is skuldig aan 'n misdryf en by skuldigbevinding strafbaar met 'n boete of gevangenisstraf van hoogstens 12 maande of beide sodanige boete of gevangenisstraf.

16. Kort titel

Hierdie regulasies heet die Regulasies vir Handelaars en Herwinnaars, 2012 en tree in werking op die datum waarop die Wet op Tweedehandse Goed, 2009 in werking tree.

AANHANGSEL "A"**MINIMUM BESONDERHEDE VIR AANSOEKVORM****1. BESONDERHEDE VAN AANSOEKER**

- 1.1. Naam
- 1.2. ID Nommer / Paspoortnommer
- 1.3. Woonadres
- 1.4. Posadres
- 1.5. Telefoonnommers
- 1.6. e-Pos
- 1.7. SA Burger
- 1.8. Diskwalifikasie (artikel14)

2. BESONDERHEDE VAN BESIGHEID

- 2.1. Besigheidsnaam
- 2.2. Besigheidsadres
- 2.3. Posadres
- 2.4. Telefoonnommers
- 2.5. e-Pos
- 2.6. Geregistreer as Maatskappy / Beslote Korporasie / Trust /Besigheidstrust
- 2.7. Geregistreeerde naam
- 2.8. Handelsnaam
- 2.9. Registrasienommer

3. VERANTWOORDELIKE PERSOON

- 3.1. Naam
- 3.2. ID Nommer / Paspoortnommer
- 3.3. Woonadres
- 3.4. Posadres
- 3.5. Telefoonnommers
- 3.6. e-Pos
- 3.7. SA Burger

4. PERSOON IN BEHEER VAN / VERANTWOORDELIK VIR BESTUUR VAN DIE MAATSKAPPY, BESLOTE KORPORASIE, TRUST OF VENNOOT IN GEVAL VAN 'N VENNOOTSKAP

- 4.1. Naam
- 4.2. ID Nommer / Paspoortnommer
- 4.3. Woonadres
- 4.4. Posadres
- 4.5. Telefoonnommers
- 4.6. e-Pos
- 4.7. SA Burger

5. LIDMAATSKAP VAN GEAKKREDITEERDE VERENIGING

- 5.1. Naam van vereniging
- 5.2. Akkreditasienommer
- 5.3. Verantwoordelike persoon
- 5.4. Kantooradres
- 5.5. Posadres
- 5.6. Telefoonnommers
- 5.7. e-Pos
- 5.8. Lidmaatskapsnommer
- 5.9. Lidmaatskapskategorie

6. BEDRYFSBESONDERHEDE

- 6.1. Algemene handelaar
- 6.2. Afslaer
- 6.3. Juwelier
- 6.4. Motorvoertuighandelaar
- 6.5. Skrootmetaalhandelaar
- 6.6. Herwinner
- 6.7. Ander

7. GOEDERE WAARIN HANDEL GEDRYF SAL WORD

- 7.1. Tipe goedere
- 7.2. Kategorie
- 7.3. Besigheidsure

8. PERSEEL

- 8.1. Tipe perseel
- 8.2. Meer as een perseel
- 8.3. Vloerplan
- 8.4. Herwinningstoerusting

AANHANGSEL "B1-1"
VERKRYGINGSREGISTER: ALGEMENE HANDELAAR

VERKRY VAN	NOMMER TOEGEKEN AAN GOEDERE OF BESKRYWING	PERSOON WAT TRANSAKSIE BAHARTIG	DATUM EN TYD VAN TRANSAKSIE	DATUM WAAROP GOEDERE VERKOOP IS OF WYSE VAN BESIKKING
Volle name:	Fabrikaat	Volle name:	Datum:	Datum:
Identiteitsnommer:	Model:			
Wyse waarop identifikasie bevestig is:	Reeksnommer:	KOOPPRYS	Tyd:	
Kontakadres:	Kommunikasietoerusting: IMEI-nommer:			Wyse van besikking:
Telefoonnommer:	Ander besonderhede:	R		

AANHANGSEL "B1-2"
BESIKKINGSREGISTER: ALGEMENE HANDELAAR

BESKIK OOR AAN	NOMMER TOEGEKEN AAN GOEDERE OF BESKRYWING	PERSOON WAT TRANSAKSIE BAHARTIG	DATUM EN TYD VAN TRANSAKSIE
Volle name:	Fabrikaat	Volle name:	Datum:
Identiteitsnommer:	Model:		
Wyse waarop identifikasie bevestig is:	Reeksnommer:		Tyd:
Kontakadres:	Kommunikasietoerusting: IMEI-nommer:		
Telefoonnommer:			

AANHANGSEL "B2-1"
VERKRYGINGSREGISTER: AFSLAER

VERKRY VAN	PERSOON WAT VEILING BEHARTIG	DATUM EN TYD VAN TRANSAKSIE	DATUM WAAROP GOEDERE VERKOOP IS
Volle name:	Volle name:	Datum:	Datum:
Identiteitsnommer:			
Wyse waarop identiteit bevestig is	Tyd:		Wyse van Beskikking:
Kontakadres:			
Telefoonnommer:			
NOMMER / LOT TOEGEKEN AAN ITEM	VOLLEDIGE BESKRYWING VAN ITEM		KOOPPRYS
	Fabrikaat:		
	Model:		
	Reeksnommer:		
	In geval van kommunikasietoerusting, die IMEI nommer:		
	Voertuig-registrasienommer:		
	Voertuig-uitkenningsnommer:		
	Voertuig-enjinnommer:		
	Voertuig-ondersteelnommer:		
	Voertuig-afstandmeterlesing:		
	Voertuig – buite- en bekleedsekleur:		
	Mikrospikkelbesonderhede:		

AANHANGSEL "B2-2"
BESKIKKINGSREGISTER: AFSLAER

BESKIK NA	PERSOON WAT VEILING BEHARTIG	DATUM EN TYD VAN VEILING	DATUM VAN VERKOOP
Volle name:	Volle name:	Datum:	Datum:
Identiteitsnommer:			
Wyse waarop identiteit bevestig is	Tyd:		Wyse van Beskikking:
Kontakadres:			
Telefoonnommer:			
NOMMER / LOT TOEGEKEN AAN ITEM	VOLLEDIGE BESKRYWING VAN ITEM		
	Fabrikaat:		
	Model:		
	Reeksnommer:		
	In geval van kommunikasietoerusting, die IMEI nommer:		
	Voertuig-registrasienommer:		
	Voertuig-uitkenningsnommer:		
	Voertuig-enjinnommer:		
	Voertuig-onderstelnommer:		
	Voertuig-afstandmeterlesing:		
	Voertuig – buite- en bekleedselkleur:		
	Mikrosipkkelbesonderhede:		

AANHANGSEL "B3-1"
VERKRYGINGSREGISTER: JUWELIER

VERKRY VAN	VOLLEDIGE BESKRYWING VAN ITEM	PERSOON WAT TRANSAKSIE NAMENS HANDELAAR BEHARTIG	DATUM EN TYD VAN TRANSAKSIE	DATUM ITEM VERKOOP OF OOR BESKIK
Volle name:	Foto van item: JA / NEE	Volle name:	Datum:	Datum:
Identiteitsnommer:				
Wyse waarop identiteit bevestig is:		KOOPPRYS	Tyd:	
Kontakadres:		R		Wyse van beskikking
Telefoonnommer:				

AANHANGSEL "B3-2"
BESKIKKINGSREGISTER: JUWELIER

BESKIK OOR AAN	VOLLEDIGE BESKRYWING VAN ITEM	PERSOON WAT TRANSAKSIE NAMENS HANDELAAR BEHARTIG	DATUM EN TYD VAN TRANSAKSIE
Volle name:	Foto van item: JA / NEE	Volle name:	Datum:
Identiteitsnommer:			
Wyse waarop identiteit bevestig is:			Tyd:
Kontakadres:			
Telefoonnommer:			

AANHANGSEL "B4-1"
VERKRYGINGSREGISTER: VOERTUIGHANDELAAR

VERKRY VAN	PERSOON WAT TRANSAKSIE HANTEER	DATUM EN TYD VAN TRANSAKSIE	DATUM VAN VERKOOP
Volle name:	Volle name:	Datum:	Datum:
Identiteitsnommer			
Wysse waarop identiteit bevestig is		Tyd:	Wysse van beskikking
Kontakadres			
Telefoonnommer:			
VOLLEDIGE BESKRYWING VAN VOERTUIG			
Fabriekaart			
Model:			
Registrasienuommer:			
Voertuig-identifikasienuommer			
Voertuig-enjinnommer			
Voertuig-onderstelnummer			
Voertuig-afstandmeterlesing			
Voertuig – buite- en bekleedselkleur			
Mikroskopiesonderhoud:			
Ander kenmerke:			
		BESKIKKINGSREGISTER - VERWYSINGSNUMMER	KOOPPRYS

AANHANGSEL "B4-2"

BESIKKINGSREGISTER: VOERTUIGHANDELAAR

BESIK OOR NA		PERSOON WAT TRANSAKSIE HANTEER	DATUM EN TYD VAN TRANSAKSIE	DATUM VAN VERKOOP
Volle name:		Volle name:	Datum:	Datum:
Identiteitsnommer				
Wyse waarop identiteit bevestig is		Tyd:		Wyse van beskikking
Kontakadres:				
Telefoonnommer:				
VOLLEDIGE BESKRYWING VAN VOERTUIG			VERWYSINGSNOMMER	KOOPPRYS
Fabrikaat				
Model:				
Registrasienuommer:				
Voertuig-identifikasienuommer				
Voertuig-enjinnommer				
Voertuig-onderstelnummer				
Voertuig-afstandmeterlesing				
Voertuig – buite- en binnedseleur				
Mikroskoppelbesonderhede:				
Ander kenmerke:				

AANHANGSEL "B5-1"
VERKRYGINGSREGISTER: SKROOTMETAALS

VERKRY VAN:	VOLLEDIGE BESKRYWING VAN ITEM	PERSOON WAT TRANSAKSIE NAMENS HANTEER	DATUM EN TYD VAN TRANSAKSIE	DATUM ITEM VERKOOP EN WYSE VAN BESIKKING
Volle name:	Gewig: Foto van goed: JA / NEE	Volle name:	Datum:	Datum:
Identiteitsnommer:				Wyse van besikking:
Wyse waarop identiteit bevestig is		KOOPPRYS	Tyd	
Kontakadres		R		
Voertuigregistrasie:				
Telefoonnommer				
Wanneer die item kabel is waarvan die omhuisel gebrand is, die verduideliking wat deur die verkoper gegee word vir die gebrande omhuisel:				

AANHANGSEL "B5-2"
BESIKKINGSREGISTER: SKROOTHANDELAARS

BESIK OOR AAN	GEWIG EN VOLLEDIGE BESKRYWING VAN GOEDERE	PERSOON WAT TRANSAKSIE NAMENS HANDELAAR BEHARTIG	DATUM EN TYD VAN TRANSAKSIE
Volle name:	Gewig: Foto van goed: JA / NEE	Volle name:	Datum:
Identiteitsnommer:			
Wyse waarop identiteit bevestig is			
Kontakadres			Tyd:
Voertuigregistrasie:			

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