

BRIEFING TO DELEGATES AT THE 18th ANNUAL SARPA CONVENTION



SECOND-HAND GOODS ACT, 2009 (ACT NO 6 OF 2009)

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INTRODUCTION

Purpose of presentation:

- Update on the implementation of the Second-Hand Goods Act and its impact since 30 April 2012;
- Update on implementation challenges; and
- Possible ways to assist SAPS to overcome challenges.

PROGRESS ON THE IMPLEMENTATION OF THE ACT

➤ KICKING OFF IN 2012

- A national Organizational and Post Establishment Structure was implemented and the Section: Second-Hand Goods Control was established and staffed to deal with the national implementation of the Act;
- An Interim Operations Manual was developed for the implementation of the Act and was utilised to provide Police members with in-service training within all nine (9) provinces.
- Twenty four (24) Information Sessions were held in all nine provinces to provide Station Commanders, Detectives, Crime Intelligence Officials and Second-Hand Goods Officers (DSO) with an overview of the requirements in terms of the Act.
 - ✓ A total number of 3 269 police officers and officials attended these information sessions.
 - ✓ Various State Owned Enterprises (for example: Telkom, Eskom, Spoornet etc) also partook in these sessions to provide police members with an overview of the identification of non-ferrous metals.

PROGRESS ON THE IMPLEMENTATION OF THE ACT

➤ ADMINISTRATIVE ISSUES:

- Fourteen Second-Hand Goods Dealers Associations applied for and were accredited by the SAPS in terms of Section 17 of the Act.
- A User Requirement Specification Document was completed for purpose of the development of an electronic database for Second-Hand Goods in the South African Police Service, called the “Second-Hand Goods Control System”.
- Posters and pamphlets regarding Second-Hand Goods Control were designed for purpose of Communication and Awareness Campaigns.
- A website has been created on the Internet as well as the SAPS Intranet to address Second-Hand Goods related matters. The website is updated on a regular basis in order to incorporate new information relating to Second-Hand Goods control.
- 380 Station Second-Hand Goods Forums have been established at relevant Police Stations countrywide.

PROGRESS ON THE IMPLEMENTATION OF THE ACT

➤ ADMINISTRATIVE ISSUES continue:

- A total of 1 014 Designated Second-Hand Goods Officers (DSO's) have been identified at Station Level and are currently performing this function;
- A National Non-Ferrous Metals Crime Combating Committee (NFMCCC) was established;
- Nine (9) Provincial NFMCCC's were established and meets on a monthly basis;
- A total of twenty (20) forms, registers and registration certificates were designed and implemented; and
- A total of 11 144 Second-Hand Goods Dealers were registered in South Africa, comprising of the following categories:
 - ✓ General Dealers – 3 755
 - ✓ Auctioneers – 359
 - ✓ Jewelers – 1 150
 - ✓ Motor Vehicle – 3 705
 - ✓ Scrap Metal – 2 174
 - ✓ Recycler – 628

PROGRESS ON THE IMPLEMENTATION OF THE ACT

➤ GOVERNANCE:

- The following key Policies and Guidelines were developed:
 - ✓ National Instruction 1 of 2013: Second-Hand Goods, Dealers and Recyclers;
 - ✓ Standard Operating Procedures: Second-Hand Goods, Dealers and Recyclers;
 - ✓ Process and Procedure Models: Second-Hand Goods, Dealers and Recyclers.

➤ TRAINING:

- A Training Curriculum for the “Designated Second-Hand Goods Officers Learning Programme” was developed and -
 - ✓ 2 x Pilot Courses and 1 x Train-the-Trainer Course for Designated Second-Hand Goods Officers were presented during 2013.
- In-Service training is continuing in all provinces .

➤ OPERATIONAL:

- Operation Thibela;
 - ✓ A NFMCCC initiated operation focussing on the theft of non-ferrous metals; and
- Operation Thiba
 - ✓ Focus on the whole of the Act.

IMPACT OF THE IMPLEMENTATION OF THE ACT

➤ REPORTED NON-FERROUS METAL RELATED INCIDENTS:

- Year 2011 – 72 533
 - Year 2012 – 58 319
 - Year 2013 – 58 011
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- ✓ There was a 19.44% decrease in reported non-ferrous related incidents between 2011 and 2012. This can be attributed to the renewed focus on the second-hand goods environment and the media hype surrounding the implementation of the new Act in 2012.
 - ✓ Between 2012 and 2013 a further decrease of 0.53% was reported. This can be attributed to continued focus on the second-hand goods environment and the continued compliance inspections conducted at Scrap Yard Dealers and Recyclers in terms of the new Second-Hand Goods legislation.

IMPACT OF THE IMPLEMENTATION OF THE ACT

➤ ARRESTS FOR NON-FERROUS METAL RELATED INCIDENTS:

- Year 2011 – 10 736
 - Year 2012 – 9 649
 - Year 2013 – 8 142
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- ✓ Between the years 2011 and 2012 there was a decrease of 10.12% in the arrest rate of the perpetrators of non-ferrous metal theft. This figure must be read in conjunction with the reported non-ferrous metals theft as per the previous slide, which have also strongly decreased. The decrease of arrests is directly tied to the fact that fewer non-ferrous metal related incidents took place and a focus on the second-hand goods environment due to the implementation of the new Second-Hand Goods legislation.
 - ✓ The same explanation can be provided for the decrease of 5.61% in arrests between 2012 and 2013.

➤ PROSECUTIONS/CONVICTIONS:

- Since the implementation of the Act, for the period 2012-05-01 to 2014-02-28, the following total number of Second-Hand Goods Dealers were prosecuted and convicted in terms of the Second-Hand Goods Act, 2009:
 - ✓ Prosecuted – 1 313
 - ✓ Convicted – 374

IMPLEMENTATION CHALLENGES

➤ ZONING

➤ BY-LAW ENFORCEMENT

➤ COLLABORATION ON LOCAL LEVEL

- Coordinated Law Enforcement
- Exchange Of Information
- Reporting Crimes

➤ LEGAL IMPEDIMENTS

Develop a strategic framework to articulate the aim of SARPA and its members to be recognised and valued as partners in combating crimes against municipalities/utilities by assisting the SAPS to combat theft of and damage to municipal goods.

PURPOSE

- **Ensure high quality services to meet the needs of the community and law enforcement;**
- **Exercise functions to support law enforcement outcomes in the short and medium term; and**
- **In particular, contribute to a greater focus on law enforcement results in key service delivery areas.**

WHERE DO WE WANT TO BE?

- **SARPA and its members must be valued as partners by developing and delivering sustainable municipal services, policy and reforms that assist combating of crimes against municipalities.**

PRINCIPLES AND VALUES

- **Collaboration and learning - Take pride in delivering services that contribute to law enforcement. Recognise the knowledge and skills of people and collaborate to achieve continuous learning and development.**
- **Professional autonomy - Respect the different professional attributes of business areas and maintain a high standard of collaboration to achieve synergy internally and externally.**

ROLES AND RESPONSIBILITIES

- **Municipal services are responsible for effective:**
 - **Infrastructure for the community**
 - **Access to municipal services**
 - **By-law enactments and enforcement**
 - **Services appropriate to the needs of the citizens but mindful of the effect on the SAPS**

ROLES AND RESPONSIBILITIES

- **Collaborate efficiently and effectively internally and with other agencies**
- **Develop better mechanisms for resolving service delivery issues, cross-government co-operation that supports better policing outcomes, and developing more efficient business processes and integrated systems.**

KEY RESULT AREAS

- **Service delivery - Improving the quality of services and the ability of the community to access them.**
- **Strategic policy development and advice - policy analysis and advice to SAPS on key municipal issues**
- **Investing in people - Develop and sustain organisational capacity by recognising and developing the skills and expertise of people.**

THANK YOU



SOUTH AFRICAN POLICE SERVICE

Department of Police

