

South Africa

Constitution of the Republic of South Africa, 1996

Placement on Parole of Selected Categories of Sentenced offenders

Legislation as at 2020-05-08.

FRBR URI: /akn/za/act/p/2020/19/eng@2020-05-08

PDF created on 2021-08-21 at 20:47.

There may have been updates since this file was created.

[Check for updates](#)



About this collection

The legislation in this collection has been reproduced as it was originally printed in the Government Gazette, with improved formatting and with minor typographical errors corrected. All amendments have been applied directly to the text and annotated. A scan of the original gazette of each piece of legislation (including amendments) is available for reference.

This is a free download from the Laws.Africa Legislation Commons, a collection of African legislation that is digitised by Laws.Africa and made available for free.

www.laws.africa

info@laws.africa

There is no copyright on the legislative content of this document.

This PDF copy is licensed under a Creative Commons Attribution 4.0 License (CC BY 4.0).

Share widely and freely.

Table of Contents

Placement on Parole of Selected Categories of Sentenced offenders	3
Proclamation 19 of 2020	3

South Africa
Constitution of the Republic of South Africa, 1996
Placement on Parole of Selected Categories of Sentenced offenders

Proclamation 19 of 2020

Published in [Government Gazette no. 43298](#) on 8 May 2020

Assented to on 24 April 2020

Commenced on 8 May 2020

[Up to date as at 8 May 2020]

Under Section 84(2)(j) of the [Constitution](#) of the Republic of South Africa, 1998, read together with Section 82(1)(a) of the Correctional Services Act, 1998 ([Act no 111 of 1998](#)) and for the purpose of addressing, managing and combatting the spread of the COVID-19 virus in all Correctional Centres in the Republic, I hereby authorise the placement on parole of qualifying sentenced offenders in terms of the criteria mentioned below, who are or would have been incarcerated on 27 April 2020 subject to such conditions as may be recommended by the Correctional Supervision and Parole Board under whose jurisdiction such sentenced offenders may fall.

1. The following categories of low risk sentenced offenders will qualify for placement on parole subject to the exclusions in paragraph 2:
 - (a) Offenders who have or will reach their minimum detention periods within a period of 60 months from the date hereof.
2. The following categories of sentenced offenders and/or crimes committed for which sentences are being served, are excluded:
 - (a) Lifers; sexual offences; murder and attempted murder; sedition, high treason, sabotage and terrorism; Gender Based Violence; child abuse;
 - (b) Offenders declared as dangerous by the court in terms of Section 286 A of the Criminal Procedure Act, ([Act No 51 of 1987](#));
 - (c) Offenders certified as mentally ill and detained in accordance with the Mental Health Care Act, 2002 ([Act No 17 of 2002](#));
 - (d) Offenders with further charges where bail was not fixed or fixed but not paid;
 - (e) Escaped or absconded and are still at large on the date of the announcement;
 - (f) Are out on bail pending appeal on the date of the announcement;
 - (g) Violations under the Domestic Violence Act, 1998 ([Act No 116 of 1998](#));
 - (h) Armed robbery/robbery with aggravating circumstances;
 - (i) Any other crime directly linked to any of the above mentioned crimes (i.e. house breaking with the intent to steal and rape);
 - (j) Any attempt, inciting, soliciting or conspiracy to commit any of the above crimes.
3. Sentenced offenders who qualify for special placement on parole must provide a set of fingerprints and DNA samples for comparison with the SAPS database as a prerequisite for placement.
4. The placement of qualifying sentenced offenders shall commence as soon as all Parole Board processes have been finalised and all relevant rehabilitation and pre-release programmes are attended.