Republic of Namibia
Annotated Statutes

REGULATIONS SURVIVING IN TERMS OF
Correctional Service Act 9 of 2012
section 127

Regulations for the Disciplinary Control of Convicted Persons
Legally Confined or Detained in South African Police Lock-ups
Government Notice 1430 of 1923
(SA GG 1339)
came into force on 1 September 1923

The Regulations for the Disciplinary Control of Convicted Persons Legally Confined or Detained in South African Police Lock-ups were originally made in terms of section 88 of the Prisons and Reformatories Act 13 of 1911, which was repealed by the Prisons Act 8 of 1959, which was then repealed by the Prisons Act 17 of 1998, which was subsequently repealed by the Correctional Service Act 9 of 2012. Pursuant to section 127 of the Correctional Service Act 9 of 2012, the Regulations for the Disciplinary Control of Convicted Persons Legally Confined or Detained in South African Police Lock-ups are deemed to have been made under that Act.

ARRANGEMENT OF REGULATIONS

[These regulations do not have headings.]

Offences

A convicted person legally confined or detained in a police lock-up shall be guilty of an offence against police lock-up discipline, if he -

(1) at any time after admission refuses to allow himself to be medically examined or vaccinated, to be photographed or measured, or to have his finger impressions taken, or wilfully obstructs any person whose duty it is to medically examine, vaccinate, photograph, or measure him or take his finger impressions;
(2) gives false replies to any questions put to him regarding his past life or antecedents, or any other matter upon which information is required for purposes of police records or statistics, or refuses to give replies to such questions;

(3) wilfully disobeys any lawful order;

(4) treats with disrespect any officer or servant of the police or any visitor, official or non-official, or any person employed in connection with the police;

(5) is idle, careless, negligent at work, or refuses to work;

(6) swears, curses, or uses any abusive, insolent, threatening, or other improper language;

(7) is indecent in language, act, or gesture;

(8) commits a minor assault upon another prisoner;

(9) converses or holds intercourse with another prisoner at unauthorized times;

(10) sings, whistles, or makes any unnecessary noise or gives any unnecessary trouble;

(11) leaves his cell or other appointed location or his place of work without permission;

(12) in any way disfigures or damages any part of the police lock-up or any article to which he may have access;

(13) has in his cell or possession any article he is not allowed to have;

(14) gives or receives from any prisoner any article whatever without leave;

(15) in any other way offends against good order and discipline;

(16) uses language tending to cause discontent, excitement, or insubordination among his fellow-prisoners, or enters into or belongs to any combination of prisoners for any purpose not authorized;

(17) makes false, frivolous, or malicious reports or complaints;

(18) commits any nuisance, neglects his duty, fails to keep himself clean or to wash or mend his clothes, or fails or neglects to keep clean and tidy any cell or other place in violation of any order which has been given him;

(19) absents himself from or refuses or fails to attend divine service, school, lecture, or parade, or misbehaves himself when present at any such place;

(20) evades work by any means;

(21) malingers by feigning any malady whatever;
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(22) commits any act with the intention of endangering his life or injuring his health or interfering with his work;

(23) wilfully loses, destroys, alters, defaces, or exchanges any identification card issued to him;

(24) procures or receives any article whatever in an unauthorised manner, or commits any act of petty theft;

(25) holds any communication by any means, or of any kind, or on any subject, with any person with whom such communication is not authorized, or converses with a visitor in a language not authorized;

(26) violates any departmental rule or police order which has been duly posted in the police lock-up;

(27) otherwise conducts himself to the prejudice of good order and discipline;

(28) attempts to do any of the foregoing things;

and upon conviction shall be liable to be sentenced to the penalties enumerated in sections thirty-five and thirty-six of the Prisons and Reformatories Act, No. 13 of 1911.

Any such sentence inflicted under these regulations shall be carried out in such prison, gaol, or police lock-up as the magistrate or visiting magistrate trying the case shall direct.

These regulations shall come into force on the 1st day of September, 1923.

[The word “regulations” is misspelt in the SA Government Gazette, as reproduced above.]