

GENERAL EXPLANATORY NOTE:

Words underlined with a solid line indicate insertions in existing enactments.

*(English text signed by the President)
(Assented to 26 May 2020)*

ACT

To amend the Independent Police Investigative Directorate Act, 2011, so as to provide for parliamentary oversight in relation to the suspension, discipline or removal of the Executive Director; and to provide for related matters.

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

Amendment of section 6 of Act 1 of 2011

1. Section 6 of the Independent Police Investigative Directorate Act, 2011 (Act No. 1 of 2011) (hereinafter referred to as the principal Act), is hereby amended by the repeal of subsection (6). 5

Insertion of section 6A into Act 1 of 2011

2. The following section is hereby inserted after section 6 of the principal Act:

“Removal from office of Executive Director

6A. (1) The Executive Director may only be removed from office on the 10
ground of misconduct, incapacity or incompetence—
(a) on a finding to that effect by a Committee of the National Assembly;
and
(b) the adoption by the National Assembly of a resolution calling for that 15
person’s removal from office.
(2) The National Assembly may adopt a resolution contemplated in
subsection (1)(b) with a supporting vote of at least two thirds of its
members.
(3) The Minister—
(a) may suspend the Executive Director from office at any time after the 20
start of the proceedings of a Committee of the National Assembly for
the removal of that person; and
(b) must remove the Executive Director from office upon adoption by the
National Assembly of a resolution calling for the Executive Director’s 25
removal.

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(4) The Minister may allow the Executive Director, at his or her request, to vacate his or her office—

(a) on account of continued ill-health; or

(b) for any other reason which the Minister deems sufficient.

(5) The Executive Director must address the request contemplated in subsection (4) to the Minister, at least six calendar months prior to the date on which the Executive Director wishes to vacate his or her office, unless the Minister grants a shorter period in a specific case."

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Short title and commencement

3. This Act is called the Independent Police Investigative Directorate Amendment Act, 2019, and comes into operation on a date to be determined by the President by proclamation in the *Gazette*.

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