

Act No. 12, 2004

PREVENTION AND COMBATING OF CORRUPT
ACTIVITIES ACT, 2004

No. and Year of Law	Short title	Extent of Repeal or Amendment
Act 57 of 1997	Lotteries Act	<p>1. Section 3 is hereby amended by—</p> <p>(a) the substitution for paragraph (b) of subsection (5) of the following paragraph:</p> <p>“(b) shall suspend the membership of any member of the board in the event of the State instituting criminal proceedings in a court of law on a charge of theft, fraud, forgery or uttering a forged document, perjury, an offence in terms of the Corruption Act, 1992 (Act 94 of 1992), Part 1 to 4, or section 17, 20 or 21 (in so far as it relates to the aforementioned offences) of Chapter 2 of the Prevention and Combating of Corrupt Activities Act, 2004, or any offence involving dishonesty;</p> <p>(b) the substitution for subparagraph (i) of paragraph (c) of subsection (5) of the following subparagraph:</p> <p>“(i) being found guilty in a court of law of contravening this Act or of theft, fraud, forgery or uttering a forged document, perjury, an offence in terms of the Prevention of Corruption Act, 1958 (Act No. 6 of 1958), the Corruption Act, 1992, Part 1 to 4, or section 17, 20 or 21 (in so far as it relates to the aforementioned offences) of Chapter 2 of the Prevention and Combating of Corrupt Activities Act, 2004, or any offence involving dishonesty; or”;</p>

Act No. 12, 2004

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ACTIVITIES ACT, 2004

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		<p>(c) the substitution for item (dd) of subparagraph (iii) of paragraph (a) of subsection (7) of the following item:</p> <p>“(dd) has at any time been, or is, convicted, whether in the Republic or elsewhere, of theft, fraud, forgery or uttering a forged document, perjury, an offence in terms of the <u>Prevention of Corruption Act, 1958 (Act No.6 of 1958)</u>, the <u>Corruption Act, 1992, Part 1 to 4, or section 17, 20 or 21 (in so far as it relates to the aforementioned offences) of Chapter 2 of the Prevention and Combating of Corrupt Activities Act, 2004</u>, or any offence involving dishonesty.”.</p> <p>5</p> <p>10</p> <p>15</p> <p>20</p> <p>2. Section 51 is hereby amended by the substitution for paragraph (e) of subsection (1) of the following paragraph:</p> <p>“(e) if the certificate holder is convicted on a charge of theft, fraud, forgery or uttering a forged document, perjury, an offence in terms of the <u>Prevention of Corruption Act, 1958 (Act No. 6 of 1958)</u>, the <u>Corruption Act, 1992, Part 1 to 4, or section 17, 20 or 21 (in so far as it relates to the aforementioned offences) of Chapter 2 of the Prevention and Combating of Corrupt Activities Act, 2004</u>, or any offence involving dishonesty.”.</p> <p>25</p> <p>30</p> <p>35</p> <p>40</p>

Act No. 12, 2004

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Act 105 of 1997	Criminal Law Amendment Act	<p>1. Section 51 is hereby amended by the addition of the following subsection:</p> <p>“(9) The amounts mentioned in respect of the offences referred to in PART II of Schedule 2 to the Act, may be adjusted by the Minister from time to time by notice in the <i>Gazette</i>.”</p> <p>2. PART II of Schedule 2 is hereby amended by the substitution of the words preceding paragraph (a) in the last offence of PART II, of the following words:</p> <p>“Any offence relating to exchange control, [corruption] extortion, fraud, forgery, uttering, [or] theft, or an offence in Part 1 to 4, or section 17, 20 or 21 (in so far as it relates to the aforementioned offences) of Chapter 2 of the Prevention and Combating of Corrupt Activities Act, 2004—”.</p>	5 10 15 20 25
Act 40 of 1998	South African Civil Aviation Authority Act	<p>Section 9 is hereby amended by the substitution for subparagraph (ii) of paragraph (a) of subsection (3) of the following subparagraph:</p> <p>“(ii) of any offence in terms of the <u>Prevention of Corruption Act, 1958 (Act No. 6 of 1958), the Corruption Act, 1992 (Act 94 of 1992), Part 1 to 4, or section 17, 20 or 21 (in so far as it relates to the aforementioned offences) of Chapter 2 of the Prevention and Combating of Corrupt Activities Act, 2004, the Companies Act, 1973, or of contravening this Act;</u>”.</p>	30 35 40
Act 105 of 1998	National Empowerment Fund Act	<p>Section 7 is hereby amended by the substitution for paragraph (e) of subsection (1) of the following paragraph:</p> <p>“(e) has at any time been convicted, whether in the Republic or elsewhere, of theft, fraud, forgery and uttering, perjury, an offence in terms of the <u>Prevention of Corruption Act, 1958 (Act No. 6 of 1958), the Corruption Act, 1992 (Act No. 94 of 1992), Part 1 to 4, or section 17, 20 or 21 (in so far as it relates to the aforementioned offences) of Chapter 2 of the Prevention and Combating of Corrupt Activities Act, 2004, or any other offence involving dishonesty; or</u>”.</p>	45 50 55 60

Act No. 12, 2004

PREVENTION AND COMBATING OF CORRUPT
ACTIVITIES ACT, 2004

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Act 112 of 1998	Witness Protection Act	<p>The Schedule to the Act is hereby amended by the substitution for the words proceeding paragraph (a) in item 14 of the following words:</p> <p>“Any offence relating to exchange control, [corruption] extortion, fraud, forgery, uttering, [or] theft, or an offence referred to in Part 1 to 4, or section 17, 20 or 21 (in so far as it relates to the aforementioned offences) of Chapter 2 of the Prevention and Combating of Corrupt Activities Act, 2004.”</p>
Act 121 of 1998	Prevention of Organised Crime Act	<p>Schedule 1 to the Act is hereby amended by the substitution for item 12 of the following item:</p> <p>“12. any offence contemplated in Part 1 to 4, or section 17, 18, 20 or 21 (in so far as it relates to the aforementioned offences) of Chapter 2 of the Prevention and Combating of Corrupt Activities Act, 2004.”</p>
Act 131 of 1998	Medical Schemes Act	<p>Section 5 is hereby amended by the substitution for paragraph (d) of subsection (1) of the following paragraph:</p> <p>“(d) has at any time been convicted (whether in the Republic of South Africa or elsewhere) of theft, fraud, forgery or uttering a forged document, perjury, an offence under the Prevention of Corruption Act, 1958 (Act No. 6 of 1958), the Corruption Act, 1992 (Act 94 of 1992), Part 1 to 4, or section 17, 20 or 21 (in so far as it relates to the aforementioned offences) of Chapter 2 of the Prevention and Combating of Corrupt Activities Act, 2004, or any offence involving dishonesty, and has been sentenced therefor to imprisonment without the option of a fine.”</p>
Act 132 of 1998	South African Medicines and Medical Devices Regulatory Authority Act	<p>Section 8 is hereby amended by the substitution for subparagraph (i) of paragraph (j) of subsection (1) of the following subparagraph:</p> <p>“(i) theft, fraud, forgery or uttering a forged document, perjury, an offence in terms of the Prevention of Corruption Act, 1958 (Act No. 6 of 1958) the Corruption Act, 1992 (Act 94 of 1992), Part 1 to 4, or section 17, 20 or 21 (in so far as it relates to the aforementioned offences) of Chapter 2 of the Prevention and Combating of Corrupt Activities Act, 2004, or any other offence involving dishonesty;”</p>

Act No. 12, 2004 PREVENTION AND COMBATING OF CORRUPT
ACTIVITIES ACT, 2004

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Act 4 of 1999	Broadcasting Act	<p>Section 16 is hereby amended by the substitution for subparagraph (i) of paragraph (d) of subsection (1) of the following subparagraph:</p> <p>“(i) in the Republic, of theft, fraud, forgery and uttering a forged document, perjury, or an offence in terms of the <u>Prevention of Corruption Act, 1958 (Act No. 6 of 1958)</u> the <u>Corruption Act, 1992 (Act 94 of 1992)</u>, Part 1 to 4, or section 17, 20 or 21 (in so far as it relates to the <u>aforementioned offences</u>) of <u>Chapter 2 of the Prevention and Combating of Corrupt Activities Act, 2004</u>.”.</p>
Act 20 of 1999	Road Traffic Management Corporation Act	<p>Section 10 is hereby amended by the substitution for subparagraph (ii) of paragraph (a) of subsection (1) of the following subparagraph:</p> <p>“(ii) of any offence in terms of the <u>Prevention of Corruption Act, 1958 (Act No. 6 of 1958)</u>, the <u>Corruption Act, 1992 (Act 94 of 1992)</u>, Part 1 to 4, or section 17, 20 or 21 (in so far as it relates to the <u>aforementioned offences</u>) of <u>Chapter 2 of the Prevention and Combating of Corrupt Activities Act, 2004</u>, the <u>Companies Act, 1973 (Act 61 of 1973)</u>, or this Act.”.</p>
Act 13 of 2000	Independent Communications Authority of South Africa Act	<p>Section 6 is hereby amended by the substitution for subparagraph (i) of paragraph (j) of subsection (1) of the following subparagraph:</p> <p>“(i) theft, fraud, forgery or uttering a forged document, perjury, an offence in terms of the <u>Prevention of Corruption Act, 1958 (Act No. 6 of 1958)</u>, the <u>Corruption Act, 1992 (Act 94 of 1992)</u>, Part 1 to 4, or section 17, 20 or 21 (in so far as it relates to the <u>aforementioned offences</u>) of <u>Chapter 2 of the Prevention and Combating of Corrupt Activities Act, 2004</u>, or any other offence involving dishonesty; or”.</p>

Act No. 12, 2004

PREVENTION AND COMBATING OF CORRUPT
ACTIVITIES ACT, 2004

No. and Year of Law	Short title	Extent of Repeal or Amendment
Act 38 of 2000	Construction Industry Development Board Act	<p>Section 7 is hereby amended by the substitution for paragraph (a) of subsection (4) of the following paragraph: 5</p> <p>“(a) is convicted, whether in the Republic or elsewhere, of theft, fraud, forgery or uttering a forged document, perjury, or any offence involving dishonesty or of any offence in terms of the Prevention of Corruption Act, 1958 (Act No. 6 of 1958), the Corruption Act, 1992 (Act 94 of 1992), Part 1 to 4, or section 17, 20 or 21 (in so far as it relates to the aforementioned offences) of Chapter 2 of the Prevention and Combating of Corrupt Activities Act, 2004, or the Companies Act, 1973 (Act 61 of 1973), or of contravening this Act;”. 10 15 20</p>
Act 63 of 2000	Home Loan and Mortgage Disclosure Act	<p>Section 8 is hereby amended by the substitution for subparagraph (i) of paragraph (e) of subsection (2) of the following subparagraph: 25</p> <p>“(i) an offence involving dishonesty or [corruption] an offence referred to in Part 1 to 4, or section 17, 20 or 21 (in so far as it relates to the aforementioned offences) of Chapter 2 of the Prevention and Combating of Corrupt Activities Act, 2004; or”. 30 35</p>
Act 56 of 2001	Private Security Industry Regulation Act	<p>The Schedule to the Act is hereby amended by the substitution for the offence mentioned in the 26th line of the following offence: 40</p> <p>“[Corruption in terms of statutory law] An offence referred to in Part 1 to 4, or section 17, 20 or 21 (in so far as it relates to the aforementioned offences) of Chapter 2 of the Prevention and Combating of Corrupt Activities Act, 2004.”. 45</p>

Act No. 12, 2004 PREVENTION AND COMBATING OF CORRUPT
ACTIVITIES ACT, 2004

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Act 13 of 2002	Immigration Act	<p>Schedule II to the Act is hereby amended by the substitution for the offence "Corruption" of the following offence:</p> <p><u>"An offence referred to in Part 1 to 4, or section 17, 20 or 21 (in so far as it relates to the aforementioned offences) of Chapter 2 of the Prevention and Combating of Corrupt Activities Act, 2004"</u>.</p>	5 10
Act 14 of 2002	Media Development and Diversity Agency Act	<p>Section 5 is hereby amended by the substitution for paragraph (e) of the following paragraph:</p> <p><u>"(e) has, notwithstanding paragraph (f), at any time been convicted of theft, fraud, perjury, an offence under the Prevention of Corruption Act, 1958 (Act No. 6 of 1958), the Corruption Act, 1992 (Act 94 of 1992), Part 1 to 4, or section 17, 20 or 21 (in so far as it relates to the aforementioned offences) of Chapter 2 of the Prevention and Combating of Corrupt Activities Act, 2004, or any other offence involving dishonesty;"</u>.</p>	15 20 25
Act 15 of 2002	Land and Agricultural Development Bank Act	<p>Section 10 is hereby amended by the substitution for subparagraph (i) of paragraph (d) of the following subparagraph:</p> <p><u>"(i) in the Republic of theft, perjury, or an offence in terms of the Prevention of Corruption Act, 1958 (Act No. 6 of 1958), the Corruption Act, 1992 (Act 94 of 1992), Part 1 to 4, or section 17, 20 or 21 (in so far as it relates to the aforementioned offences) of Chapter 2 of the Prevention and Combating of Corrupt Activities Act, 2004;"</u>.</p>	30 35 40 45

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ACTIVITIES ACT, 2004

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Act 70 of 2002	Regulation of Interception of Communications and Provision of Communication related Information Act, 2002	<p>The Schedule to the Act is hereby amended by the substitution for item 12 of the following item:</p> <p>“12. any offence contemplated in [section 1(1) of the Corruption Act, 1992 (Act 94 of 1992),] Part 1 to 4, or section 17, 20 or 21 (in so far as it relates to the aforementioned offences) of Chapter 2 of the Prevention and Combating of Corrupt Activities Act, 2004:”.</p>

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