**Statutory Instrument 125/2013**

**Children's (Non-Public Service Probation Officers) Regulations, 2013[[1]](#footnote-1)**

IT is hereby notified that the Minister of Labour and Social Services has, in terms of section 88 as read with section 46(1a) of the Children's Act [*Chapter 5:06*]*,* made the following regulations: —

*Title*

These regulations may be cited as the Children's (Non-Public Service Probation Officers) Regulations, 2013.

*Interpretation of terms*

In these regulations —

"**non-public service probation officer**" means a probation officer who is not a member of the Public Service but is employed on a contract basis as a probation officer in terms of section 46(1a) of the Children's Act [*Chapter 5:06*];

"**probation officer's authority card**" means a card issued by the Ministry to enable the holder to exercise the powers of a probation officer in terms of the Act;

"**social worker**" means a person registered as such in terms of the Social Workers Act [*Chapter 27:21*].

*Invitation to register as non-public service probation officers*

(1) The Minister shall, as required from time to time publish in the Gazette inviting any person who is a social worker registered with the Council of Social Workers to submit the following —

(a)    an application in writing at an address specified in the notice; and

(b)    *curriculum vitae*; and

(c)    Registration Certificate issued in terms of the Social Workers Act [*Chapter 27:21*]; and

(d)    Practising Certificate issued in terms of the Social Workers Act [*Chapter 27:21*]; and

(e)    police clearance; and

(f)    2 passport size photographs.

(2) On receipt of an application in terms of section 3(1) above, the Minister may, if satisfied with the applicant's suitability, proceed to appoint the applicant as a non-public service probation officer and issue a Probation Officer's Authority valid for 1 year renewable.

(3) If the Minister refuses the application, the applicant shall be notified accordingly in writing, citing the reasons why the application was not successful.

*Engagement of appointed non-public service probation officers*

The Ministry of Labour and Social Services may from time to time engage on a contract or consultancy basis, persons on the list of appointed non-public service probation officers, to perform the following functions of a probation officer as stipulated in section 46(1) of the Children's Act [*Chapter 5:06*] **—**

(a)    to inquire into and report on the character and environment of any minor on trial or undergoing a preparatory examination and into and upon the causes and circumstances contributing to the delinquency of such minor; and

(b)    to devise and carry out measures for the observation and correction of tendencies to delinquency in children and young persons; and

(c)    to counsel, supervise and control any person placed under the supervision of the probation officer; and

(d)    to perform such other duties as may be imposed upon them in terms of the enabling Act or any other enactment.

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1. *Gazetted on the 23rd August, 2013* [↑](#footnote-ref-1)