

(3) A peace officer may use such force as may be reasonably necessary in and proportional to the circumstances in order to exercise any power in terms of subsection (2).

(4) Any person who—

- (a) contravenes or fails to comply with this section; or
- (b) obstructs or hinders any peace officer in the exercise of his or her powers under this section,

is guilty of an offence and liable on conviction to a fine or to imprisonment for a period not exceeding six months or to both a fine and such imprisonment.

Traffic-free zones

12. (1) (a) No person may drive a vehicle into or in a traffic-free zone or park such vehicle in that zone unless a prescribed notice authorising the presence of the vehicle in that zone is displayed on the vehicle in the prescribed manner.

(b) For the purposes of paragraph (a), a traffic-free zone is any public road or area that is—

- (i) identified by the National Commissioner of the South African Police Service as a traffic-free zone; and
- (ii) clearly marked in the prescribed manner as a traffic-free zone.

(2) A peace officer **[may]** must refuse a person permission to drive a vehicle into a traffic-free zone unless a notice contemplated in subsection (1)(a) is displayed on such vehicle.

(3) A peace officer who finds a vehicle parked or being driven in a traffic-free zone without displaying a notice contemplated in subsection (1)(a) [**may**] must—

- (a) direct the person who is driving the vehicle to leave that zone immediately;
- (b) if the owner or person who parked the vehicle is readily available, order such owner or person to remove the vehicle from that zone; or
- (c) if the owner or person who parked the vehicle is not readily available, remove the vehicle from that zone and impound the vehicle.

(4) For the purposes of subsection (3)(c), regulation 305(6) of the National Road Traffic Regulations, 2000, applies with the necessary changes.

(5) Any person who—

- (a) contravenes or fails to comply with this section; or
- (b) obstructs or hinders any peace officer in the exercise of his or her powers under this section,

is guilty of an offence and liable on conviction to a fine or to imprisonment for a period not exceeding six months or to both a fine and such imprisonment.

Search and seizure

13. (1) A peace officer may search any person intending to enter a designated area or found inside such area and may search any vehicle or container in the possession or under the control of such person or any vehicle being driven into or found in a traffic-free zone for any prescribed object and

may seize such an object found on such person, in or on such vehicle or in or on such container and deal with the seized object in the prescribed manner.

(2) A peace officer who may lawfully search a person, vehicle or container referred to in subsection (1) may use such force as may be reasonably necessary in and proportional to all the circumstances to overcome any resistance to the search or seizure, including breaking open the vehicle or container.

Regulations

14. (1) The Minister may, in consultation with the Minister of Trade and Industry, the Minister for Agriculture and Land Affairs or the Minister of Health, as the case may be, make regulations regarding—

- (a) any matter that may or must be prescribed, except a matter contemplated in section 12 or 13;
- (b) the exercise of marketing rights by a commercial affiliate in respect of the marketing, distribution and consumption of liquor in order to give effect to the Organising Association Agreement;
- (c) the suspension of the prohibition on the possession, compounding and dispensing of permitted medicines and Scheduled substances and permitted medical devices and the registration of and the performance of community service by health care providers, in order to give effect to the Organising Association Agreement; and
- (d) subject to subsection (2), any ancillary or incidental administrative or procedural matter that it is necessary to prescribe for the proper implementation or administration of this Act.

(2) The Minister of Safety and Security may make regulations regarding—

- (a) any matter which may or must be prescribed in terms of section 12 or 13;
- (b) powers of peace officers in respect of security arrangements at any site contemplated in section 10(1)(b), including powers in respect of access control and search for and seizure of dangerous and commercial objects in order to give effect to the Organising Association Agreement; and
- (c) any ancillary or incidental administrative or procedural matter that it is necessary to prescribe for the proper implementation or administration of sections 10, 11, 12 and 13.

(3) Any regulation made under subsection (2) may declare a contravention thereof or failure to comply therewith to be an offence and that a person convicted of such an offence may be sentenced to a fine or to imprisonment for a period not exceeding 12 months or to both a fine and such imprisonment.

Short title

15. This Act is called the 2010 FIFA World Cup South Africa Special Measures Act, 2006.

**MEMORANDUM ON THE OBJECTS OF THE 2010 FIFA WORLD CUP
SOUTH AFRICA SPECIAL MEASURES BILL, 2006**

1. INTRODUCTION

The Bill has been drafted to facilitate the hosting and staging of the 2010 FIFA World Cup South Africa in accordance with the Organising Association Agreement between FIFA and SAFA and the guarantees issued by the Government of the Republic to FIFA.

2. OBJECTS OF BILL

The objects of the Bill are to—

- (a) empower the Minister of Trade and Industry to stipulate a date later than one month after the completion or termination of the 2010 FIFA World Cup South Africa as the date on which the protection of the 2010 FIFA World Cup South Africa as a protected event in terms of section 15A(1) of the Merchandise Marks Act, 1941 (Act No. 17 of 1941), ends;
- (b) empower the Minister of Sport and Recreation to declare by notice in the *Gazette* certain stadiums and venues as stadiums and venues that have been identified and selected to host matches under the auspices of the 2010 FIFA World Cup South Africa;
- (c) ensure that all national anthems and flags of the countries represented by a team at the 2010 FIFA World Cup South Africa may be played and flown;
- (d) facilitate the issuing of visas and work permits by the Department of Home Affairs to FIFA's delegates, its personnel and commercial affiliates;

- (e) suspend certain restrictions regarding marketing, distribution and consumption of liquor for the duration of the 2010 FIFA World Cup South Africa;
- (f) suspend certain restrictions and prohibitions on the sale of unregistered medicines and on registration of and community service by certain health care providers in connection with the 2010 FIFA World Cup South Africa;
- (g) facilitate the accreditation of foreign medical contingents and the approval of permitted medicines, Scheduled substances and permitted medical devices for the purposes of the 2010 FIFA World Cup South Africa;
- (h) set out the scope of authority of an accredited foreign medical contingent;
- (i) provide for access control measures and traffic-free zones at stadiums and venues; and
- (j) provide for the promulgation of regulations by the Minister of Sport and Recreation and the Minister of Safety and Security.

3. CONSULTATION

The following bodies were consulted:

- The South African Sports Confederation and Olympic Committee
- All national government departments
- All the provincial departments of sport and recreation
- All the national sport and recreation federations

4. FINANCIAL IMPLICATIONS FOR STATE

[None.] Each department that has given a guarantee in respect of the 2010 FIFA World Cup South Africa has the financial responsibility related to its guarantee. National Treasury will deal with any money matter by way of a money Bill to be introduced by the Minister of Finance.

5. PARLIAMENTARY PROCEDURE

5.1 As was stated in paragraph 1 the object of this Bill is to facilitate the hosting and staging of the 2010 FIFA World Cup South Africa. This object is achieved by ensuring that the laws of the country will allow the guarantees given by the National Government to be carried out. The changes brought about by this Bill serve a limited purpose and for a limited duration, i.e. the duration of the 2010 FIFA World Cup South Africa. The State Law Advisers and the Department of Sport and Recreation are of the opinion that this Bill must be dealt with in accordance with the procedure established by section 75 of the Constitution, since it contains no provision to which the procedure set out in section 74 or 76 of the Constitution applies.

5.2 The State Law Advisers are of the opinion that it is not necessary to refer this Bill to the National House of Traditional Leaders in terms of section 18(1)(a) of the Traditional Leadership and Governance Framework Act, 2003 (Act No. 41 of 2003), since it does not contain provisions pertaining to customary law or customs of traditional communities.