

**REGULATION OF INTERCEPTION OF COMMUNICATIONS AND
PROVISION OF COMMUNICATION-RELATED INFORMATION
AMENDMENT ACT 48 OF 2008**

[ASSENTED TO 6 JANUARY 2009] [DATE OF COMMENCEMENT: TO BE PROCLAIMED]

(English text signed by the President)

ACT

To amend the Regulation of Interception of Communications and Provision of Communication-related Information Act, 2002, so as to insert certain new definitions and to amend certain definitions; to provide afresh for information to be obtained and kept in respect of cellular phones and SIM-cards; to further regulate offences and penalties; and to provide for matters connected therewith.

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

1 Amends section 1 of the Regulation of Interception of Communications and Provision of Communication-related Information [Act 70 of 2002](#), as follows: paragraph (a) inserts the definitions of 'activate' and 'address'; paragraph (b) substitutes the definition of 'customer'; paragraph (c) inserts the definition of 'family member'; paragraph (d) substitutes the definition of 'identification document'; paragraph (e) inserts the definition of 'identity number'; and paragraph (f) inserts the definition of 'informal settlement'.

2 Substitutes section 40 of the Regulation of Interception of Communications and Provision of Communication-related Information [Act 70 of 2002](#).

3 Amends section 51 of the Regulation of Interception of Communications and Provision of Communication-related Information [Act 70 of 2002](#), as follows: paragraph (a) substitutes subsection (1) (a) (i); paragraph (b) inserts subsections (3A), (3B), (3C) and (3D); and paragraph (c) deletes the word 'or' at the end of subsection (5) (b) and inserts paragraph (b A).

4 Amends section 62 of the Regulation of Interception of Communications and Provision of Communication-related Information [Act 70 of 2002](#) by substituting subsection (6).

5 Inserts sections 62A, 62B and 62C in the Regulation of Interception of Communications and Provision of Communication-related Information [Act 70 of 2002](#).

6 Substitutes section 63 of the Regulation of Interception of Communications and Provision of Communication-related Information [Act 70 of 2002](#).

7 Short title and commencement

This Act is called the Regulation of Interception of Communications and Provision of Communication-related Information Amendment Act, 2008, and comes into operation on a date determined by the President by proclamation in the *Gazette*.