

# DECLARATION

## **Access to public school's premises**

(1) Subject to the Constitution, laws and national and provincial policies, the HOD or principal of any public school may and for such timeframes as may be necessary

1. (a) take such steps as he or she may consider necessary for the safeguarding of the public school premises, as well as for the protection of the people therein; and
2. (b) direct that the school may only be entered in accordance with the provisions of sub-regulation (2).

(2) No person shall without the permission of the principal or HOD enter into any public school premises in respect of which a direction has been issued under sub-regulation (1)(a), and for the purpose of the granting of that permission the principal or HOD may require of the person concerned to -

1. (a) furnish his or her name, address and any other relevant information required by the principal or HOD;
2. (b) produce proof of his or her identity to the satisfaction of the principal or HOD if necessary;
3. (c) declare whether he or she has any dangerous object or illegal drugs in his or her possession or custody or under his or her control;
4. (d) declare what the contents are of any vehicle, suitcase, attaché case, bag, hand bag, folder, envelope, parcel or container of any nature which he or she has in his or her possession or custody or under his or her control, and show those contents to him or her;
5. (e) subject himself or herself and anything which he or she has in his or her possession or custody or under his or her control to a search by a person of the same gender, an examination by an electronic device, sniffer dogs or other apparatus in order to determine the presence of any dangerous object or illegal drug; and
6. (f) hand to the principal or HOD anything which he or she has in his or her possession or custody or under his or her control for examination or custody until he or she leaves the premises.

(3) Without derogation of the provisions of the Trespass Act, 1959 (Act No. 6 of 1959), the principal or HOD may at any time remove any person from any public school premises if

(i) (ii) (iii)

that person enters the public school premises concerned without the permission contemplated in sub-regulation (2);

that person refuses or fails to observe any steps contemplated in sub-regulation (1)(a); and

the principal or HOD considers it necessary for the safeguarding of the public school premises concerned or for the protection of the people thereon.

(4) If it is not practicable to examine or keep in custody, on or in the public school premises concerned, anything which may be examined, or kept in custody under sub-regulation (2), it may be removed to a suitable place for that purpose.

**Violence and drug free public schools**

1. (1) All public schools are hereby declared drug free and dangerous object free zones.
2. (2) No person may -
  1. (a) allow any dangerous object in the public school premises;
  2. (b) carry any dangerous object in the public school premises;
  3. (c) store any dangerous object in the public school premises except in officially designated places identified by the principal;
  4. (d) possess illegal drugs on public school premises;
  5. (e) enter public school premises while under the influence of an illegal drugs or alcohol;
  6. (f) cause any form of violence or disturbances which can negatively impact on any public school activities;
  7. (g) wittingly condone, connive, hide, abet, encourage possession of dangerous objects or refuse, fail, neglect to report the sighting or presence of any dangerous objects to the departmental authorities or the police as soon as possible;
  8. (h) directly or indirectly cause harm to anyone, who exposes another person who makes an attempt to frustrate the prevention of the dangerous objects and activities.
- (5) A police official or in his absence, the principal or delegate may, without warrant -
  1. (a) search any public school premises if he or she has a reasonable suspicion that a dangerous object or illegal drugs may be present in the public school premises in contravention of the regulations;
  2. (b) search any person present on the public school premises; and
  3. (c) seize any dangerous object or illegal drugs present on public school premises or on the person in contravention of these regulations.
- (6) No educator, parent or learner, and no other person, may possess or use -
  1. (a) alcohol;
  2. (b) illegal drugs;
  3. (c) any illegal substance; or
  4. (d) dangerous objects,during any school activity.

**THESE REGULATIONS CAN BE VIEWED AT THE OFFICES AT APPOINTED TIMES**

---