



REPUBLIC OF SOUTH AFRICA

[Regulation 2(1) - Form A]

**APPLICATION FOR EXPUNGEMENT OF A CRIMINAL RECORD**

**[SECTION 271B (1) OF THE CRIMINAL PROCEDURE ACT, 1977 (ACT NO. 51 OF 1977)]**

*(To be completed by a person who has a criminal record older than 10 years and upon whom a fine of not more than R20 000 was imposed and has not been sentenced to a period of imprisonment)*

**PART I**

**GENERAL INFORMATION**

**Who may apply for the expungement of a criminal record:**

- **A person may apply if:**
  - **10 Years has lapsed after the date of the conviction for that offence.**
  - **The person has not been convicted of any other offence and sentenced to a period of imprisonment without the option of a fine during those 10 years.**
  - **The person was sentenced to any of the sentences set out in Part II of this Form.**
- **A person will not qualify if:**
  - **He or she was convicted of a sexual offence against a child or a person who is mentally disabled or of an offence, where he or she was found to be unsuitable to work with children.**
  - **His or her name is included in the National Register for Sex Offenders or the National Child Protection Register but may qualify if his or her name has been removed from the National Register for Sex Offenders or the National Child Protection Register.**

**Note:**

- **Before submitting the application for expungement of a conviction, a clearance certificate showing that a period of 10 years has lapsed after the conviction(s) and sentence(s), must be obtained from the Criminal Record Centre of the South African Police Service. The clearance certificate must be attached to the application.**
- **If the person's name has been included in the National Register for Sex Offenders, a confirmation must be obtained from the Registrar that his or her name has been removed from the Register. The confirmation or a certified true copy of the confirmation must be attached to the application.**
- **If the person's name has been included in the National Child Protection Register, a confirmation must be obtained from the Director- General: Social Development that his or her name has been removed from the Register. The confirmation or a certified true copy of the confirmation must be attached to the application.**

**Process:**

- **The completed application form (Part II and Part III), together with the attachments must be posted or delivered by hand to the Director-General: Justice and Constitutional Development:**
  - **Postal Address: Private Bag X 81 Pretoria 0001**
  - **Street Address: Momentum Centre, 329 Pretorius Street (corner of Pretorius and Prinsloo streets), Pretoria 0001**
- **If the Director-General is satisfied that a person meets the requirements set out in section 271B(1) of the**

- The certificate of expungement issued by the Director-General will be submitted to the head of the Criminal Record Centre of the South African Police Service within 14 working days.
- If the application for expungement is refused, the person will be informed by post of this decision and reasons for the decision.-
- The head of the Criminal Record Centre of the South African Police Service will, within 21 working, days confirm to the person in writing that the conviction(s) and sentence(s) in question has/have been expunged.

**Note: Failure to complete the form in full or to attach the required documents may cause the application for expungement to be delayed.**

**PART II**

**APPLICATION FOR EXPUNGEMENT OF A CRIMINAL RECORD IN TERMS OF SECTION 271B OF THE CRIMINAL PROCEDURE ACT, 1977 (ACT NO. 51 OF 1977)**

*(If the space provided is insufficient, information should be supplied on a separate page)*

**(i)** I, .....  
 (full name and surname of applicant),  
 ID Number. ....  
 or Passport number .....  
 or Date of birth .....

was convicted of the following offence(s) and on date(s) appearing below:

OFFENCE	DATE

**(ii)** The following sentence(s) was imposed on me:

**Mark the sentence(s) imposed with an X**

- The passing of the sentence was postponed.
- Cautioned and discharged.
- Fine imposed did not exceed R 20 000. The fine imposed was R .....
- Corporal punishment (lashes).

Imprisonment of ..... with the option of a fine not exceeding the amount of R20 000. The fine was R .....

Sentence of imprisonment was wholly suspended.

Correctional supervision.

Periodical imprisonment.

A period of .....years has lapsed after the date of my conviction.

(iii)  I have not been convicted during the 10 year period of any other offence and been sentenced to a period of imprisonment without the option of a fine.

(iv) A clearance certificate bearing Enquiry No: ..... issued on ..... obtained from the Criminal Record Centre of the South African Police Service reflecting that a period of 10 years has lapsed after the date of the conviction is attached.

**\* Delete whichever is not applicable/ Mark applicable with an X**

(v)  \* I was not convicted of a sexual offence against a child or a person who is mentally disabled, and my name is not included in the National Register for Sex Offenders.

\* I was convicted of a sexual offence against a child or a person who is mentally disabled and my name was included in the National Register for Sex Offenders on ..... and removed from the said register on ..... Confirmation from the Registrar is attached.

(vi)  \* I was not found unsuitable to work with children by a criminal court and my name is not included in the National Child Protection Register.

\* I was found unsuitable to work with children by a criminal court and my name was included in the National Child Protection Register on ..... and removed from the said register on ..... Confirmation from the Director-General: Social Development is attached.

(vii)  I request that a certificate of expungement be issued directing that the conviction be expunged from my record in terms of section 271B(2) of the Act.

**PART III**

**PERSONAL AND CONTACT DETAILS OF THE APPLICANT**

(i) **PERSONAL DETAILS**

Surname: .....  
Full names: .....  
ID Number: .....  
or Passport number: .....  
or Date of birth: .....

(ii) **CONTACT DETAILS**

Residential address:  
.....  
.....  
..... Postal code.....

Postal address:  
.....  
.....  
..... Postal code.....

Telephone numbers:  
Work: .....  
Home: .....  
Cell phone: .....

E-mail address: .....  
Fax number: .....

Signed at ..... this ..... day of ..... year .....

.....

**SIGNATURE (Applicant)**

**Part IV**

**For official use only:** Reference No .....

**NAME OF APPLICANT:** .....

**(i) Responsible official: Recommendation**

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\_\_\_\_\_  
Signed

\_\_\_\_\_  
Date

**(ii) Checking official: Recommendation**

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.....  
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\_\_\_\_\_  
Signed

\_\_\_\_\_  
Date

**(iii) Director – General: Decision**

\* I am satisfied that .....  
(name of applicant)

complies with the criteria set out in section 271B(1) for the issuing of a certificate of expungement and I therefore direct that the particular offence(s) and sentence(s) in question on his/her criminal record be expunged.

I therefore, in terms of section 271B(2), issue the attached certificate of expungement. I request that ..... (assigned official) submit the certificate to the head of the Criminal Record Centre to be dealt with in accordance with section 271D of the Act.

\* I refuse to issue the certificate because the applicant, .....  
(name of applicant)

does not qualify for the following reasons:

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\_\_\_\_\_  
Director-General:  
Justice and Constitutional Development

\_\_\_\_\_  
Date



(Official stamp of the Director-General)