



REPUBLIC OF SOUTH AFRICA

[Regulation 2(2) – Form B]

**APPLICATION FOR EXPUNGEMENT OF A CRIMINAL RECORD**

**[SECTION 271C (2)(a) OF THE CRIMINAL PROCEDURE ACT, 1977 (ACT NO. 51 OF 1977)]**

*(To be completed by a person who wants to have his or her criminal record expunged on the basis that his or her conviction was as a result of legislation based on race or which would not be regarded as an offence under the constitutional dispensation)*

**PART I**

**GENERAL INFORMATION**

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

- **A person may apply if:**
  - **He or she was convicted of an offence based on race.**
  - **He or she was convicted of an offence which would not be regarded as an offence in an open and democratic society based on human dignity, equality and freedom under the democratic constitutional dispensation.**

**Note:**

- **Before submitting the application for expungement of a conviction, a clearance certificate reflecting the offence must be obtained from the Criminal Record Centre of the South African Police Service. The clearance certificate 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 271C(2)(a) of the Act, he or she will issue a certificate of expungement directing that the conviction(s) and sentence(s) of the person be expunged.**
- **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 271C(2)(a) 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, .....

(full name of applicant),

ID Number. ....

or Passport number .....

or Date of birth .....

was convicted and sentenced for contravention of .....

(particulars of the offence(s))

on ..... (date(s)).

**Complete applicable space hereunder:**

(i) This offence was based on race because:.....  
.....  
.....

(ii) The offence would not have been considered to be an offence in an open and democratic society based on human dignity, equality and freedom under the democratic constitutional dispensation because:  
.....  
.....  
.....  
.....

(iii) A clearance certificate bearing Enquiry No: ..... issued on ....., obtained from the Criminal Record Centre of the South African Police Service reflecting the conviction and sentence is attached.

(iv) I request that a certificate of expungement directing that the conviction and sentence stated above be expunged be issued in terms of section 271C(3) 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**

.....  
.....  
.....  
.....  
.....

\_\_\_\_\_  
Signed

\_\_\_\_\_  
Date

**(ii) Checking official: Recommendation**

.....  
.....  
.....  
.....  
.....

\_\_\_\_\_  
Signed

\_\_\_\_\_  
Date

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

\* I am satisfied that .....

(name of applicant)

complies with the criteria set out in section 271C(2)(a) 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 271C (3), issue the attached certificate of expungement. I request that .....(assigned official) must submit the certificate to the head of the Criminal Record Centre to be dealt with in accordance with section 271D of the Act.

