



AANSOEK DEUR SLAGOFFER OF BELANGHEBBENDE PERSOON VIR DIE MIV-TOETSING VAN DIE BEWEERDE OORTREDER

*Artikel 30 van die Wysigingswet op die Strafwet (Seksuele Misdrif en Verwante Aangeleenthede), 2007
(Wet No. 32 van 2007)*

LEES ASSEBLIEF DIE VOLGENDE NOTAS VOOR U DIE AANSOEKVORM VOLTOOI:

- (1) Ingevolge die Wet, kan die slagoffer van 'n seksuele misdrif, of 'n belanghebbende persoon wat namens die slagoffer optree, aansoek doen vir die MIV-toetsing van die beweerde oortreder van die seksuele misdrif. Die Wet bepaal dat 'n belanghebbende persoon, enige persoon is wat 'n essensieel belang in die welstand van 'n slagoffer het, insluitend 'n gade, permanente lewensmaat van dieselfde of beoorgestelde geslag, ouer, voog, familielid, sorggewer, kurator, berader, geneesheer, gesondheidsorgvoorsiener, maatskaplike werker of onderwyser of onderwyseres van so 'n slagoffer is.
- (2) Indien die aansoek gedoen word deur 'n belanghebbende persoon (soos wat hierbo uiteengesit is), moet die aansoek gedoen word met die skriftelike toestemming van die slagoffer, tensy die slagoffer —
 - jonger as 14 jaar is;
 - verstandelik gestremd is;
 - bewusteloos is;
 - 'n persoon is ten opsigte van wie 'n kurator deur die Hof aangestel is; of
 - 'n persoon is wat, volgens die Hof, nie in staat is om die nodige toestemming te kan gee nie.
 Waar toepaslik, moet die skriftelike toestemming van die slagoffer aan die aansoekvorm geheg word.
- (3) Indien u bystand benodig met die voltooiing van die aansoekvorm, kan u die ondersoekbeampte versoek om u behulpzaam te wees.

IN DIE LANDDROSHOF VIR DIE DISTRIK VAN

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SAAK NO:

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Aan die klerk van die hof,

Neem kennis dat (die slagoffer*/belanghebbende persoon*) ingevolge artikel 30 van die Wet, by hierdie Hof aansoek doen vir 'n bevel —

- (a) dat die beweerde seks-oortreder, hieronder beskryf, vir MIV getoets word*; en
- (b) dat die uitslag van die MIV-toets aan (die slagoffer*/belanghebbende persoon*) en aan die beweerde oortreder* bekend gemaak word; of
- (c) dat die uitslag van die MIV-toets van die beweerde oortreder, wat reeds by wyse van 'n aansoek deur die ondersoekbeampte, soos beoog in artikel 32 van die Wet, bekom is, aan (die slagoffer*/belanghebbende persoon*) bekend gemaak word.

*Slaap wat nie toepaslik is nie

DEEL A: VERKLARING DEUR SLAGOFFER OF BELANGHEBBENDE PERSOON WAT NAMENS

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