

**NOTICE TO PUBLIC PROSECUTOR OF INTENTION
TO INSTITUTE PRIVATE PROSECUTION**

NOTICE IN TERMS OF SECTION 23(5)(b) OF THE EXTENSION OF SECURITY OF TENURE ACT, 1997

[Where service of this notice is effected by hand, an additional copy of the notice must be prepared. Such copy shall be signed and dated by the person receiving it and returned to the person serving the notice as proof of service.]

The Public Prosecutor

[fill in name and address of public prosecutor]

Please take note that I/we, the undersigned _____

[fill in the name/s of the person/s whose rights or interests have been prejudiced by the alleged offence] am/are considering instituting a private prosecution against

_____ [give full name/s of alleged offender/s] in terms of section 23(4) of the Extension of Security of Tenure Act (Act No. 62 of 1997).

The alleged offence to which this notice relates is as follows:

[Give full details of the events surrounding the alleged unlawful eviction.]

The land to which this notice relates is:

[Give the physical address and the full Deeds Office description of the land on which the alleged unlawful eviction took place. In the case of a farm, this must include the portion, name and number of the farm, and the name of the district in which the farm is situated.]

If, within 14 days of receiving this notice you have not communicated to me/us in writing that you intend prosecuting this matter yourself, I/we intend instructing _____ [give full name/s of attorney/advocate] to institute a private prosecution on my/our behalf.

Your attention is drawn to section 23(5) of the Extension of Security of Tenure Act, 1997 (Act No. 62 of 1997).

Signed at _____ on this the _____ day of _____
[Fill in the name of the district or closest town or city and today's date]

1. _____

2. _____

3. _____

[Signature/s of person/s issuing this notice.]

Full name/s:

1. _____

2. _____

3. _____

Return address:

[The return address may be the address of a legal representative.]

Contact person: _____

Tel. No. _____

Fax No. _____

Received by me on this the _____ day of _____ at _____ h _____
[Fill in the name of the district or closest town or city, today's date and the time when the notice was served.]

[Signature of public prosecutor or person apparently authorised to act on his or her behalf.]