



REPUBLIC OF SOUTH AFRICA

**FORM 5**  
**[Regulation 7]**  
**DIRECTION TO ELECTRONIC COMMUNICATIONS SERVICE PROVIDER TO FURNISH**  
**INFORMATION TO COURT**  
**SECTION 4(1)(b) AND (2) OF THE PROTECTION FROM HARASSMENT ACT, 2011 (ACT NO. 17 OF 2011)**  
**(CONFIDENTIAL)**

APPLICATION NO. .... / .....

DIRECTION NO ...../20.....

To: .....  
**(Electronic communications service provider)**

(a) Facsimile number of Magistrate's Court: .....

(b) Phone number of Magistrate's Court: .....

(\* Delete whichever is not applicable)

**To be completed by the magistrate:**

1. On .....(date) an application for the issuing of an interim protection order against the harassment of the \*complainant/\*related person was considered by me .....  
(name and surname of magistrate) in the Magistrate's court for the district of .....

2. As a result of evidence that was produced to the court I am satisfied in terms of section 3(2) of the Protection of Harassment Act, 2011 (Act No. 17 of 2011), that an interim protection order must be issued as a result of the harassment of the \*complainant/\*related person by means of electronic communications or electronic mail over an electronic communications system of an electronic communications service provider.

3. The relevant particulars of the \*complainant/\*related person are as follows:

3.1 Full names and surname: .....

3.2 Address: .....

3.3 Identity number: .....

3.4 Contact number: .....

**4. Particulars of harassing electronic communications or electronic mail:**

A. Name of electronic communications service provider which provides an electronic communications service/s to the *complainant/*related person through which the harassing conduct was received and type of electronic communications service so provided	
B. Electronic communications identity number/s associated with the aforementioned service/s assigned to the *complainant/*related person.	

C. Date on which electronic communications were received by *complainant/*related person.	
D. Time on which electronic communications were received by *complainant/*related person.	
E. Duration of communication received by *complainant/*related person.	
F. Electronic communications identity number from which the harassing communication originated, where available.	
G. Electronic communications service provider to which the electronic communications identity number mentioned in paragraph F has been assigned.	

**\*5. To be completed where the electronic communications identity number from which the harassing conduct originated and the electronic communications service provider to which such electronic communications identity number has been assigned, have been identified either by the complainant or by an electronic communications service provider in terms of paragraph 6, below**

As indicated in paragraph 4, above, the electronic communications identity number/s from which the harassing conduct originated and the electronic communications service provider to which such electronic communications identity number/s has/have been assigned, has/have been identified (see paragraphs 4.F and 4.G, above) and the electronic communications service provider is therefore directed to provide the court with —

- (a) the full names, surname, address and identity number of the person to which such electronic communications identity number/s has/have been assigned if the person is/was a client of the electronic communications service provider; and
- (b) a confirmation that, according to the records of the electronic communications service provider, the electronic communications or electronic mail was/were sent or not sent from the electronic communications identity number/s identified in paragraph 4.F to the electronic communications identity number/s furnished in paragraph 4.B.

**\*6. To be completed where the electronic communications service provider which provides a service to the \*complainant/\*related person is requested to furnish information to the court in order to identify the electronic communications identity number from which the harassing conduct originated and the electronic communications service provider to which such electronic communications identity number has been assigned**

As indicated in paragraph 4F, above, the electronic communications identity number/s from which the harassing conduct originated, is/are not available, and the electronic communications service provider identified in paragraph 4A is therefore directed to identify and provide the court with —

- (a) the electronic communications identity number/s from which the harassing conduct originated, where available;
- (b)
  - (i) the full names, surname, address and identity number of the person to whom such electronic communications identity number/s has/have been assigned if the person is/was a client of the electronic communications service provider; and
  - (ii) a confirmation that, according to the records of the electronic communications service provider, the electronic communication/s or electronic mail was/were sent or not sent from the electronic communications identity number/s identified by the electronic communications service provider to the electronic communications identity number furnished in paragraph 4.B;
- (c) the name and particulars of the electronic communications service provider/s which can assist the court to identify the electronic communications identity number/s in paragraph 4.F and the person/s to which the electronic communications identity number/s has/have been assigned; or
- (d) any other information that is available to an electronic communications service provider which may be of assistance to the court to identify the respondent or electronic communications service provider which provides a service to the respondent.

