

ABOLITION OF CIVIL IMPRISONMENT ACT 2 OF 1977

[ASSENTED TO 24 FEBRUARY 1977]

[DATE OF COMMENCEMENT: 1 JULY 1977]

(English text signed by the State President)

ACT

To abolish civil imprisonment; to repeal the law 'To amend the Law as to Imprisonment for Debt', 1881 (Transvaal), and the Civil Imprisonment Restriction Act, 1942; and to provide for incidental matters.

1 Abolition of civil imprisonment

No court shall have power to order the civil imprisonment of a debtor for his failure to pay a sum of money in terms of any judgment.

2 Existing decrees of civil imprisonment

Any decree of civil imprisonment which is in force at the commencement of this Act shall as from the said commencement be of no force or effect.

3 Saving

This Act shall not affect the power of a court to grant an order for the committal of any person for contempt of court or to sentence a judgment debtor to imprisonment in terms of any provision of the Magistrates' Courts Act, 1944 (Act 32 of 1944), for failing to satisfy a judgment.

4 Repeal of Law 7 of 1881 (Transvaal) and Act 21 of 1942

The law 'To amend the Law as to Imprisonment for Debt', 1881 (Transvaal), and the Civil Imprisonment Restriction Act, 1942, are hereby repealed.

5 Short title

This Act shall be called the Abolition of Civil Imprisonment Act, 1977, and shall come into operation on a date fixed by the State President by proclamation in the *Gazette*.