
GENERAL NOTICE ALGEMENE KENNISGEWING

NOTICE 705 OF 2008

DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT

PUBLICATION OF EXPLANATORY SUMMARY OF THE JUDICIAL MATTERS AMENDMENT BILL, 2008

The Minister for Justice and Constitutional Development intends introducing the Judicial Matters Amendment Bill, 2008, in the National Assembly shortly. The explanatory summary of the Bill is hereby published in accordance with Rule 241(c) of the Rules of the National Assembly.

The Bill is intended to amend the General Law Amendment Act, 1935, so as to prohibit the unlawful disposal of the body of a newly born baby; to amend the Administration of Estates Act, 1965, so as to regulate the calculation of interest payable in respect of certain moneys paid into the Guardian's Fund and substitute obsolete terminology; to amend the Medicines and Related Substances Act, 1965, so as to effect a technical correction in the Afrikaans text; to amend the Criminal Procedure Act, 1977, so as to substitute obsolete references; so as to further regulate the payment of admission of guilt fines; to further regulate the release of an accused person on bail; to further regulate the appointment of psychiatrists in cases involving the mental capacity of an accused person; to provide for the prosecution of persons who commit offences while doing diplomatic duty outside of the Republic; to further regulate the imposition of periodical imprisonment; and to further regulate appeals in criminal proceedings from a magistrate's court to a High Court and from a High Court to the Supreme Court of Appeal; to amend the Attorneys Act, 1979, so as to extend the category of persons entitled to engage candidate attorneys; and to increase the penalties that may be imposed on attorneys for improper conduct; to amend the Admiralty Jurisdiction Act, 1983, so as to further regulate the form of proceedings relating to maritime claims; to amend the Matrimonial Property Act, 1984, so as to remove a discriminatory provision; to amend the Intestate Succession Act, 1987, so as to regulate the position of permanent same-sex life partners; to amend the Criminal Law Amendment Act, 1997, so as insert certain serious offences in Part I of Schedule 2; to amend the Debt Collectors Act, 1998, so as to further

regulate the number of the members of the executive committee of the Council for Debt Collectors; and to further regulate the trust accounts of debt collectors; to amend the Promotion of Access to Information Act, 2000, so as to extend the period within which rules of procedure must be made; and to further regulate the liability of persons exercising powers or performing duties in terms of the Act; to amend the Promotion of Administrative Justice Act, 2000, so as to extend the period within which to make rules of procedure for judicial review; to extend the period within which the code of good administrative conduct must be made; and to effect a technical correction in the IsiXhosa text; to amend the Promotion of Equality and Prevention of Unfair Discrimination Act, 2000, so as further regulate the remuneration and allowances payable to members of the Equality Review Committee; to amend the Judges' Remuneration and Conditions of Employment Act, 2001, so as to further regulate the service of judges after discharge from active service; to amend the Prevention and Combating of Corrupt Activities Act, 2004, so as to further regulate penalties; and to provide for matters connected therewith.

A copy of the Bill can be found on the website of the Parliamentary Monitoring Group at <http://www.pmg.org.za> and may, after introduction, also be obtained from:

1. Government Printers: Cape Town and Pretoria
 2. The website of the Department of Justice and Constitutional Development.
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