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AIDS HELPLINE: 0800-0123-22 Prevention is the cure

GOVERNMENT NOTICES GOEWERMENSKENNISGEWINGS

**DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT
DEPARTEMENT VAN JUSTISIE EN STAATKUNDIGE ONTWIKKELING**

No. R. 250

22 March 2005

**JUDGES' REMUNERATION AND CONDITIONS OF EMPLOYMENT ACT, 2001 :
AMENDMENT OF REGULATIONS**

The President has under section 13 of the Judges' Remuneration and Conditions of Employment Act, 2001 (Act No. 47 of 2001), made the regulations in the Schedule.

SCHEDULE

Definitions

1. In this Schedule -

"the Regulations" means the regulations published by Government Notice No. R. 894 of 5 July 2002, as amended by Government Notice No, R. 1594 of 10 December 2003.

Amendment of regulation 23 of the Regulations

2. Regulation 23 is hereby amended by the addition of the following subregulations:

"(3) A determination for the purposes of the proviso to section 11(7) of the Act, must be -

- (a) made in the form of Form 3 of the Annexure;
- (b) made with due regard to the laws governing customary marriages; and
- (c) submitted in duplicate to the registrar.

(4) The registrar must -

- (a) on receipt of the copies of the document contemplated in subregulation (3) affix the official stamp of the Department with the date of receipt on all pages of both copies of Form 3;
- (b) return one copy of Form 3 to the Constitutional Court judge or judge;
- (c) enter the following in a register kept for this purpose:
 - (i) the date of receipt of Form 3;
 - (ii) the particulars of the Constitutional Court judge or judge;
 - (iii) in respect of a determination for purposes of section 11(7)-
 - (aa) the full names and identity numbers of the spouses concerned; and
 - (bb) the division of benefits;
- and
- (d) forthwith forward the retained copy of Form 3 to the Director-General: Justice and Constitutional Development.”.

Substitution of Form 3 of the Annexure to the Regulations

3. The following Form is hereby substituted for Form 3 of the Annexure to the Regulations:

**“ FORM 3
(Regulation 23)**

[To be submitted in duplicate]

DETERMINATION FOR PURPOSES OF SECTION 9(1), 10(1) OR 11(7)* OF THE JUDGES’ REMUNERATION AND CONDITIONS OF EMPLOYMENT ACT, 2001 (ACT NO. 47 of 2001)

I, (name and surname of *Constitutional Court judge/ judge) with identity number -

(a) declare that the persons whose particulars are set out below are my spouses;
and

(b) hereby determine that, in the event of my death, my benefits must be divided
between my spouses as indicated below.

PART A**DETERMINATION FOR PURPOSES OF SECTION 9(1)**

Name of spouse	Identity number of spouse	Division of benefits

Name of spouse	Identity number of spouse	Division of benefits

Name of spouse	Identity number of spouse	Division of benefits

Dated at _____ this _____ day of _____ 20____.

.....

Signature of *Constitutional Court judge/judge

.....

Signature of witness

*** Delete whichever is not applicable. ”**