



EMBARGO: FOR IMMEDIATE RELEASE

**MEDIA STATEMENT BY THE SOUTH AFRICAN LAW REFORM COMMISSION
CONCERNING ITS RELEASE OF DISCUSSION PAPER 125 ON STATUTORY LAW
REVISION IN RESPECT OF LEGISLATION ADMINISTERED BY THE DEPARTMENT
OF BASIC EDUCATION**

The South African Law Reform Commission (SALRC) was established by the South African Law Reform Commission Act 19 of 1973. It is an advisory body whose aim is the renewal and improvement of the law of South Africa on a continuous basis.

The SALRC has been mandated with the task of revising all legislation administered by national Government Departments with a view to identifying and recommending for repeal or amendment legislation or provisions in legislation that are inconsistent with the right to equality in the 1996 Constitution, particularly the equality clause thereof, and those that are redundant or obsolete. As part of this investigation, the SALRC hereby releases its Discussion Paper 125 on Project 25: Statutory law revision in respect of legislation administered by the Department of Basic Education for general information and comment. The purpose of the discussion paper is to elicit comments on the SALRC's preliminary findings and recommendations concerning the constitutionality, redundancy and obsolescence of legislation administered by the Department of Basic Education.

The methodology adopted in this investigation is to review the statute book by Department – the SALRC identifies a Department, reviews the national legislation administered by that Department for constitutionality and redundancy, sets out the preliminary findings and proposals in a consultation paper and consults with that Department to verify the SALRC's preliminary findings and proposals. The next step that the SALRC undertakes is the development of a discussion paper in respect of the legislation of each Department, and upon its approval by the SALRC, it is published for

general information and comment. Finally, the SALRC develops a report in respect of each Department and includes in the report a draft Bill proposing amendment or repeal of legislation.

The SALRC has reviewed 19 statutes that are administered by the Department of Basic Education and 38 statutes that were assigned to the Provincial Departments of Education. The SALRC proposes that the Acts listed in the Schedule to the proposed Basic Education General Laws Amendment and Repeal Bill, contained in Annexure A of Discussion Paper 125, be repealed to the extent set out in the fourth column of that Schedule, for the reasons set out in Chapter 2 of Discussion Paper 125.

The SALRC invites comments on Discussion Paper 125. The SALRC would appreciate receiving comments by 31 August 2011 at the following address:

The Secretary
South African Law Reform Commission
Private Bag X668
Pretoria
0001

Tel: (012) 392 9548

Fax: (012) 323-4406

E-mail: lmngoma@justice.gov.za

Website: <http://www.justice.gov.za/salrc/index.htm>

This Discussion Paper 125 is available on the Internet at the following website site address: <http://www.justice.gov.za/salrc/dpapers.htm>. The discussion paper is also obtainable free of charge from the SALRC upon request (the contact person is Mr Jacob Kabini at (012) 392 9580).

ISSUED BY THE SECRETARY: SA LAW REFORM COMMISSION

DATE: 30 May 2011

CONTACT FOR ENQUIRIES IN RESPECT OF MEDIA STATEMENT: MR L MNGOMA

Tel: (012) 392 9563 or 0732689166

Fax: (012) 323 4406

E-mail: lmngoma@justice.gov.za

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