



South African Law Reform Commission

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MEDIA STATEMENT BY THE SOUTH AFRICAN LAW REFORM COMMISSION: EXTENSION OF CLOSING DATE FOR COMMENT ON ISSUE PAPER 41 ON THE REVIEW OF ASPECTS OF MATRIMONIAL PROPERTY LAW (PROJECT 100) UNTIL 14 JANUARY 2022

On 6 September 2021 the South African Law Reform Commission (SALRC) announced the availability for general information and comment of its Project 100E: Issue Paper 41 dealing with the review of matrimonial property law. Respondents were requested to submit comment to the SALRC by 30 November 2021.

Issue Paper 41 is available on the Internet at the following site:

<https://www.justice.gov.za/Salrc/ipapers/ip41-pri100E-MatrimonialPropertyLawReview-6Sep2021.pdf>

This is a Revised/Supplementary issue paper which replaces the SALRC's initial Issue Paper 34 published on 28 August 2018. The revision is necessary in light of recent case law since the issue paper was published, as well as statutory and common law changes. The following new issues have been added:

- Religious marriages in light of recent case law and developments in Project 144: Single Marriage Statute.
- Unmarried life partnerships were originally excluded but must now be considered in light of developments in case law and progress in Project 144: Single Marriage Statute.
- While customary marriages were originally partly included, the SALRC has had to grapple more fully with recent statutory amendments and case law.

At this stage, the issue paper does not contain proposals for law reform. The SALRC seeks comments on any relevant issues in the paper. Comments will provide direction on the proposed

scope and focus of the investigation. On the strength of these responses, a discussion paper will be prepared, setting out the SALRC's provisional proposals. Responses to the discussion paper will then be collated and evaluated in order to prepare a report setting out the SALRC's final recommendations.

During September 2021, the Department of Justice and Constitutional Development's Information Technology system was interrupted due to a security breach. This interruption affected the distribution of Issue Paper 41 tremendously. Many stakeholders have requested for an extension of the closing date for submission of comments to the SALRC. Taking these factors into account, and to ensure wide spread awareness of the issue paper, the SALRC has decided to extend the closing date for comment on Issue Paper 41 until **14 January 2022**.

Respondents are requested to submit written comment, representations or submissions to the SALRC on Issue Paper 41 for the attention of Maureen Moloji to the following address:

The Secretary
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Private Bag X668
Pretoria
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E-mail: gmoloi@justice.gov.za OR geraldinemoloi@gmail.com

Contact for enquiries in respect of media statement: Maureen Moloji

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A hard copy of the issue paper is also obtainable free of charge from the SALRC upon request (the contact person is Mr Jacob Kabini at (012) 622 6349).

ISSUED BY THE SECRETARY, S A LAW REFORM COMMISSION, CENTURION

DATE: 23 NOVEMBER 2021