



STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA

GOVERNMENT GAZETTE

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CAPE TOWN, 21 APRIL 1982

KANTOOR VAN DIE EERSTE MINISTER

OFFICE OF THE PRIME MINISTER

No. 708.

21 April 1982.

Hierby word bekend gemaak dat die Staatspresident sy goedkeuring geheg het aan die onderstaande Wet wat hierby ter algemene inligting gepubliseer word:—

No. 59 van 1982: Wysigingswet op Landdroshowe, 1982.

No. 708.

21 April 1982.

It is hereby notified that the State President has assented to the following Act which is hereby published for general information:—

No. 59 of 1982: Magistrates' Courts Amendment Act, 1982.

GENERAL EXPLANATORY NOTE:

- [** Words in bold type in square brackets indicate omissions from existing enactments.
- Words underlined with solid line indicate insertions in existing enactments.

ACT

To amend the Magistrates' Courts Act, 1944, so as to further regulate the service of process; and to provide for matters connected therewith.

(English text signed by the State President.)
(Assented to 26 March 1982.)

BE IT ENACTED by the State President and the House of Assembly of the Republic of South Africa, as follows:—

1. Section 15 of the Magistrates' Courts Act, 1944, is hereby amended by the substitution for subsection (2) of the following 5 subsection:
- “(2) Whenever under any law a public body has the right to prosecute privately in respect of any offence or whenever under any law any fine imposed on conviction in respect of any offence is to be paid into the revenue of a public body, the process of the court and all other documents in the case in which prosecution takes place for such offence, shall be served—
- (a) **[either]** by a person **[duly]** authorized in writing by such public body;
- (b) where it is expedient that such process shall be served in the area of jurisdiction of another public body, by a person authorized as contemplated in paragraph (a) by such other public body; or
- (c) with the consent of the Minister by a member of the police force, **[If the service is made by a member of the police force,]** in which case fees in accordance with the scale set out in the rules shall be paid by the public body or such compounded amount in respect of all such process and other documents in any year as may be agreed between the said public body and the Minister, and such fees or such amount shall be paid into the **[Consolidated]** State Revenue Fund.”

Amendment of section 15 of Act 32 of 1944, as amended by section 11 of Act 40 of 1952, section 2 of Act 19 of 1963, section 29 of Act 70 of 1968 and section 26 of Act 94 of 1974.

2. This Act shall be called the Magistrates' Courts Amend- Short title.
ment Act, 1982.