

Please note that most Acts are published in English and another South African official language. Currently we only have capacity to publish the English versions. This means that this document will only contain even numbered pages as the other language is printed on uneven numbered pages.



REPUBLIEK VAN SUID-AFRIKA

STAATSKOERANT

GOVERNMENT GAZETTE

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No. 14379

CAPE TOWN, 6 NOVEMBER 1992

KANTOOR VAN DIE STAATSPRESIDENT

STATE PRESIDENT'S OFFICE

No. 3066.

6 November 1992

No. 3066.

6 November 1992

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

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

No. 145 van 1992: Wysigingswet op Geregtelike Doods-ondersoeke, 1992.

No. 145 of 1992: Inquests Amendment Act, 1992.

GENERAL EXPLANATORY NOTE:

Words underlined with a solid line indicate insertions in existing enactments.

ACT

To amend the Inquests Act, 1959, so as to make further provision for the re-opening of an inquest; and to provide for matters connected therewith.

(Afrikaans text signed by the State President.)
(Assented to 27 October 1992.)

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

Insertion of section 17A in Act 58 of 1959

1. The following section is hereby inserted in the Inquests Act, 1959, after section 17:

“Re-opening of inquest

17A. (1) The Minister may, on the recommendation of the attorney-general concerned, at any time after the determination of an inquest and if he deems it necessary in the interest of justice, request a judge president of a provincial division of the Supreme Court to designate any judge of the Supreme Court of South Africa to re-open that inquest, whereupon the judge thus designated shall re-open such inquest.

(2) An inquest referred to in subsection (1) shall, subject to the provisions of this Act, as far as possible be continued and disposed of by the judge so designated on the existing record of the proceedings, and the provisions of section 17(2) shall, in so far as they are not contrary to the provisions of this section, apply *mutatis mutandis* to such an inquest.

(3) A judge holding an inquest that has been re-opened in terms of this section—

- (a) may cause any person who has already given evidence at the inquest to be subpoenaed to give further evidence;
- (b) shall record any finding that differs from a finding referred to in section 16(2), as well as the respect in which it differs; and
- (c) shall cause the record of the proceedings to be submitted to the attorney-general concerned.”

Application of Act

2. This Act shall apply to all inquests, whether an inquest was determined before or after the commencement of this Act.

Short title

3. This Act shall be called the Inquests Amendment Act, 1992.