

South Africa

Prevention of Family Violence Act, 1993

Act 133 of 1993

Legislation as at 15 December 1999

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Prevention of Family Violence Act, 1993

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South Africa

Prevention of Family Violence Act, 1993

Act 133 of 1993

Published in Government Gazette 15161 on 6 October 1993

Assented to on 24 September 1993

Commenced on 1 December 1993 by [Prevention of Family Violence Act, 1993: Commencement](#)

[This is the version of this document as it was from 15 December 1999 to 14 December 2007.]

[Amended by [Domestic Violence Act, 1998 \(Act 116 of 1998\)](#) on 15 December 1999]

(English text signed by the Acting State President.)

ACT

To provide for the granting of interdicts with regard to family violence, for an obligation to report cases of suspected ill-treatment of children, that a husband can be convicted of the rape of his wife, and for matters connected therewith.

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

1. ***

[section 1 repealed by section 21(1) of [Act 116 of 1998](#)]

2. ***

[section 2 repealed by section 21(1) of [Act 116 of 1998](#)]

3. ***

[section 3 repealed by section 21(1) of [Act 116 of 1998](#)]

4. **Obligation to report ill-treatment of children**

Any person who examines, treats, attends to, advises, instructs or cares for any child in circumstances which ought to give rise to the reasonable suspicion that such child has been ill-treated, or suffers from any injury the probable cause of which was deliberate, shall immediately report such circumstances—

- (a) to a police official; or
- (b) to a commissioner of child welfare or a social worker referred to in section 1 of the Child Care Act, 1983 ([Act No. 74 of 1983](#)).

5. **Rape of wife by her husband**

Notwithstanding anything to the contrary contained in any law or in the common law, a husband may be convicted of the rape of his wife.

6. ***

[section 6 repealed by section 21(1) of [Act 116 of 1998](#)]

7. ***

[section 7 repealed by section 21(1) of [Act 116 of 1998](#)]

8. **Repeal of section 1 of [Act 39 of 1989](#)**

Section 1 of the Criminal Law and the Criminal Procedure Act Amendment Act, 1989 ([Act No. 39 of 1989](#)), is hereby repealed.

9. **Short title and commencement**

This Act shall be called the Prevention of Family Violence Act, 1993, and shall come into operation on a date fixed by the State President by proclamation in the *Gazette*.