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GOEWERMENSKENNISGEWING

GOVERNMENT NOTICE

DEPARTEMENT VAN JUSTISIE

DEPARTMENT OF JUSTICE

No. R. 1584

16 September 1994

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REÛLS VAN DIE KONSTITUSIONELE HOF

RULES OF THE CONSTITUTIONAL COURT

Die President van die Konstitusionele Hof het, in oorleg met die Hoofregter, kragtens artikel 100 van die Grondwet van die Republiek van Suid-Afrika, 1993 (Wet No. 200 van 1993), die reëls vervat in die Bylae voorgeskryf.

The President of the Constitutional Court has, in consultation with the Chief Justice, under section 100 of the Constitution of the Republic of South Africa, 1993 (Act No. 200 of 1993), prescribed the rules in the Schedule.

BYLAE

SCHEDULE

Woordomskrywing

Definitions

1. In hierdie reëls het 'n woord of uitdrukking waaraan in die Grondwet 'n betekenis geheg is daardie betekenis en, tensy uit die samehang anders blyk, beteken—

1. In these rules any word or expression to which a meaning has been assigned in the Constitution shall have that meaning and, unless the context otherwise indicates—

“die Grondwet” die Grondwet van die Republiek van Suid-Afrika, 1993 (Wet No. 200 van 1993);

“Constitutional Court” means the Constitutional Court established under section 98 (1) of the Constitution;

“griffier” die griffier van die betrokke hof en ook 'n assistent-griffier van die hof aldus aangestel;

“judge” means a judge of the Constitutional Court appointed under section 99 of the Constitution, sitting otherwise than in open court;

“Hooggeregshof” die Hooggeregshof van Suid-Afrika soos bedoel in artikel 101 (1) van die Grondwet;

“President” means the President of the Constitutional Court appointed under section 97 (2) (a) of the Constitution;

“Konstitusionele Hof” die Konstitusionele Hof ingestel kragtens artikel 98 (1) van die Grondwet;

“registrar” means the registrar of the court concerned, and includes any assistant registrar of the court so appointed;

“President” die President van die Konstitusionele Hof aangestel kragtens artikel 97 (2) (a) van die Grondwet; en

“Supreme Court” means the Supreme Court of South Africa as contemplated in section 101 (1) of the Constitution; and

“regter” 'n regter van die Konstitusionele Hof aangestel kragtens artikel 99 van die Grondwet, wat elders as in die ope hof sit.

“the Constitution” means the Constitution of the Republic of South Africa, 1993 (Act No. 200 of 1993).

2. Wanneer 'n geskil of geskilpunt deur die Appèl-afdeling of deur 'n provinsiale of plaaslike afdeling van die Hooggeregshof kragtens die Grondwet na die Konstitusionele Hof verwys word, moet die griffier van die betrokke hof binne 10 dae na die datum van sodanige verwysing of binne 10 dae na die datum van publikasie van hierdie reëls in die *Staatskoerant*, welke datum ook al die jongste is, 'n afskrif van die uitspraak en bevel waarkragtens sodanige geskil of geskilpunt verwys is, aan die griffier van die Konstitusionele Hof stuur.

3. Die aangeleentheid word daarna hanteer in ooreenstemming met sodanige skriftelike aanwysings met betrekking tot die prosedure wat gevolg moet word in die beslissing van die geskil of geskilpunt as wat die President van die Konstitusionele Hof, of 'n regter of regters van die Konstitusionele Hof deur hom of haar vir daardie doel aangewys, gepas ag.

2. Where a dispute or an issue has been referred to the Constitutional Court by the Appellate Division or by a provincial or local division of the Supreme Court in terms of the Constitution, the registrar of the court concerned shall, within 10 days of the date of such referral or within 10 days of the date of publication of these rules in the *Gazette*, whichever is the later, forward to the registrar of the Constitutional Court a copy of the judgment and order in terms of which such dispute or issue was referred.

3. The matter shall thereafter be dealt with in accordance with such directions in writing pertaining to the procedures to be followed in the determination of the dispute or issue as may be considered to be appropriate by the President of the Constitutional Court or by a judge or judges of the Constitutional Court designated by him or her for that purpose.

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