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GOVERNMENT NOTICE GOEWERMENTSKENNISGEWING

DEPARTMENT OF JUSTICE DEPARTEMENT VAN JUSTISIE

No. R. 681

9 May 1997

PROMOTION OF NATIONAL UNITY AND RECONCILIATION ACT, 1995 (ACT No. 34 OF 1995)

REGULATIONS PRESCRIBING TARIFF OF FEES CONTEMPLATED IN SECTION 34 (3)

The President has, under section 40 of the Promotion of National Unity and Reconciliation Act, 1995 (Act No. 34 of 1995), made the regulations in the Schedule.

SCHEDULE

Definitions

1. In these regulations any word or expression to which a meaning has been assigned in the Act shall bear the meaning so assigned thereto and, unless the context otherwise indicates—

“**investigation unit**” means the investigation unit contemplated by section 28 of the Act;

“**legal representative**” means a legal representative appointed by the Commission under section 34 (3) of the Act to appear on behalf of a person who is not financially capable of appointing a legal representative for himself or herself; and

“**the Act**” means the Promotion of National Unity and Reconciliation Act, 1995 (Act No. 34 of 1995).

Appearance fees

2. (1) A legal representative who appears before the investigation unit shall be entitled to a fee of R35,00 for each period of 15 minutes that he or she so appeared, subject to a maximum amount of R550,00 per day.

(2) A legal representative who appears before a committee shall be entitled to a fee of R50,00 for each period of 15 minutes that he or she so appeared, subject to a maximum amount of R725,00 per day.

(3) The fee for an uncompleted period of 15 minutes shall be calculated proportionately according to the number of full minutes of appearance.

Preparation

3. (1) (a) A legal representative who necessarily has to consult with a witness in preparation for an appearance referred to in regulation 2 (2), shall be entitled to a fee of R50 for each period of 15 minutes of such consultation, subject to a maximum amount of R150 per witness: Provided that no more than R1 500 shall be paid to a legal representative in terms of this paragraph, irrespective of how many witnesses the legal representative had to consult with.

(b) The fee for an uncompleted period of 15 minutes shall be calculated proportionately according to the number of full minutes of consultation.

(2) A legal representative who necessarily has to peruse documents in preparation for an appearance referred to in regulation 2 (2), shall be entitled to R1,50 per page or part thereof for the first 200 pages and R1,00 per page or part thereof for every page thereafter.

Travelling

4. Unless the Commission in a specific case directs otherwise, a legal representative who necessarily has to travel to another Magisterial district than the one in which his or her offices are situated, for an appearance referred to in regulation 2 or preparation referred to in regulation 3, shall be entitled to an allowance of R1,00 per kilometre.

Miscellaneous

5. The tariff of fees contained in these regulations do not include value-added tax.

No. R. 681

9 Mei 1997

WET OP DIE BEVORDERING VAN NASIONALE EENHEID EN VERSOENING, 1995 (WET No. 34 VAN 1995)

REGULASIES WAT DIE TARIEF VAN GELDE BEOOG IN ARTIKEL 34 (3) VOORSKRYF

Die President het, kragtens artikel 40 van die Wet op die Bevordering van Nasionale Eenheid en Versoening, 1995 (Wet No. 34 van 1995), die regulasies in die Bylae uitgevaardig.

BYLAE

Woordomskrywing

1. In hierdie regulasies het elke woord of uitdrukking waaraan 'n betekenis in die Wet geheg is, die betekenis aldus daaraan geheg en, tensy uit die samehang anders blyk, beteken—

“die Wet” die Wet op die Bevordering van Nasionale Eenheid en Versoening, 1995 (Wet No. 34 van 1995);

“ondersoekkeenheid” die ondersoekkeenheid bedoel in artikel 28 van die Wet; en

“regsverteenwoordiger” 'n regsverteenwoordiger deur die Kommissie kragtens artikel 34 (3) van die Wet aangestel om namens iemand te verskyn wat nie finansiële daartoe in staat is om self 'n regsverteenwoordiger aan te stel nie.

Verskyningsfooie

2. (1) 'n Regsverteenwoordiger wat voor die ondersoekkeenheid verskyn is geregtig op 'n fooi van R35,00 vir elke tydperk van 15 minute wat hy of sy aldus verskyn, behoudens 'n maksimumbedrag van R550,00 per dag.

(2) 'n Regsverteenwoordiger wat voor 'n komitee verskyn is geregtig op 'n fooi van R50,00 vir elke tydperk van 15 minute wat hy of sy aldus verskyn, behoudens 'n maksimumbedrag van R725,00 per dag.

(3) Die fooi vir 'n onvoltooide tydperk van 15 minute moet proporsioneel bereken word ooreenkomstig die getal volle minute van verskyning.

Voorbereiding

3. (1) (a) 'n Regsverteenwoordiger wat noodsaaklikerwys met 'n getuie moet konsulteer ter voorbereiding vir 'n verskyning bedoel in regulasie 2 (2), is geregtig op 'n fooi van R50 vir elke tydperk van 15 minute van sodanige konsultasie, behoudens 'n maksimumbedrag van R150 per getuie: Met dien verstande dat nie meer as R1 500 aan 'n regsverteenwoordiger ingevolge hierdie paragraaf betaal word nie, ongeag met hoeveel getuies die regsverteenwoordiger moes konsulteer.

(b) Die fooi vir 'n onvoltooide tydperk van 15 minute moet proporsioneel bereken word ooreenkomstig die getal volle minute van konsultasie.

(2) 'n Regsverteenwoordiger wat noodsaaklikerwys dokumente moet nagaan ter voorbereiding vir 'n verskyning bedoel in regulasie 2 (2), is geregtig op R1,50 per bladsy of gedeelte daarvan vir die eerste 200 bladsye en R1,00 per bladsy of gedeelte daarvan vir elke bladsy daarna.

Reis

4. Tensy die Kommissie in 'n bepaalde geval anders gelas, is 'n regsverteenwoordiger wat noodsaaklikerwys na 'n ander Landdrosdistrik as die een waarin sy of haar kantore geleë is, moet reis vir 'n verskyning bedoel in regulasie 2 of voorbereiding bedoel in regulasie 3, geregtig op 'n toelaag van R1,00 per kilometer.

Diverse

5. Die tarief van toelae vervat in hierdie regulasies sluit nie belasting op toegevoegde waarde in nie.

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