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PROCLAMATION
by the
President of the Republic of South Africa

No. R. 15, 2002

**COMMENCEMENT OF THE CRIMINAL MATTERS AMENDMENT ACT,
1998 (ACT NO. 68 OF 1998)**

Under section 8 of the Criminal Matters Amendment Act, 1998 (Act No. 68 of 1998), I hereby fix 28 February 2002 as the date on which the said Act shall come into operation.

Given under my Hand at Cape Town this Twelfth day of February Two thousand and two.

T. M. MBEKI

President

By Order of the President-in-Cabinet:

P. M. MADUNA

Minister of the Cabinet

PROKLAMASIE
van die
President van die Republiek van Suid-Afrika

No. R. 15, 2002

INWERKINGTREDING VAN DIE WYSIGINGSWET OP
STRAFREGTELIKE AANGELEENTHEDE, 1998 (WET NO. 68 VAN 1998)

Kragtens artikel 8 van die Wysigingswet op Strafregtelike Aangeleentheid, 1998 (Wet No. 68 van 1998), bepaal ek hierby 28 Februarie 2002 as die datum waarop genoemde Wet in werking tree.

Gegee onder my Hand te Kaapstad op hede die Twaalfde dag van Februarie Tweeduisend-en-twee.

T. M. MBEKI
President

Op las van die President-in-Kabinet:

P. M. MADUNA
Minister van die Kabinet

GOVERNMENT NOTICES GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT DEPARTEMENT VAN JUSTISIE EN STAATKUNDIGE ONTWIKKELING

No. R. 213

28 February 2002

DETERMINATION OF REMUNERATION PAYABLE TO *CURATOR AD LITEM* UNDER SECTION 29 OF THE MENTAL HEALTH ACT, 1973

Under section 29(1)(g) of the Mental Health Act, 1973 (Act No. 18 of 1973), I, Penuell Mpapa Maduna, Minister for Justice and Constitutional Development, hereby determine an all inclusive amount of R2 000,00 as the remuneration to which a *curator ad litem* will be entitled to for an appointment under section 29(1)(a)(ii) of the said Act.

P. M. MADUNA

Minister for Justice and Constitutional Development

No. R. 213**28 Februarie 2002****BEPALING VAN VERGOEDING BETAALBAAR AAN *CURATOR AD LITEM*
KRAGTENS ARTIKEL 29 VAN DIE WET OP GEESTESGESONDHEID, 1973**

Kragtens artikel 29(1)(g) van die Wet op Geestesgesondheid, 1973 (Wet No. 18 van 1973), bepaal ek, Penuell Mpapa Maduna, Minister van Justisie en Staatkundige Ontwikkeling, 'n allesinsluitende bedrag van R2 000,00 as die vergoeding waarop 'n *curator ad litem* geregtig sal wees vir 'n aanstelling kragtens artikel 29(1)(a)(ii) van die genoemde Wet.

P. M. MADUNA**Minister van Justisie en Staatkundige Ontwikkeling**

No. R. 214

28 February 2002

CRIMINAL PROCEDURE ACT, 1977**REGULATIONS PRESCRIBING THE TARIFF OF ALLOWANCES PAYABLE TO
PSYCHIATRISTS AND CLINICAL PSYCHOLOGISTS WHO APPEAR AS
WITNESSES IN COURT**

The Minister for Justice and Constitutional Development has, in consultation with the Minister of Finance, under section 191 (3) of the Criminal Procedure Act, 1977 (Act No. 51 of 1977), made the regulations in the Schedule.

SCHEDULE**Subsistence allowance**

1. If a psychiatrist who is designated or appointed by or at the request of the court or a clinical psychologist who is directed by the court in terms of section 79(1) of the Criminal Procedure Act, 1977 (Act No. 51 of 1977), to enquire into the mental condition of an accused and who is not in the full-time service of the State must attend court in connection with an accused whom he or she has examined, he or she shall be

compensated for his or her attendance from public funds at the rate of R 55 per hour or part of an hour, subject to a maximum of R 550 per day.

2. Whenever a psychiatrist or clinical psychologist referred to in regulation 1 is absent from his or her permanent place of residence for the purpose of attending court, he or she shall, in addition to the allowance to which he or she is entitled to in terms of regulation 1, be paid an amount equal to his or her reasonable actual expenses.

Travelling expenses and transport

3. A psychiatrist or clinical psychologist referred to in regulation 1 may at State expense and in such manner as he or she may deem fit travel to and from the place where the court is in session: Provided that whenever such psychiatrist or clinical psychologist uses private transport, he or she shall be entitled to compensation at the rate of -

- (a) R 1, 10 per kilometre in the case of a vehicle with an engine swept volume of 2 150 cm³ or less;
- (b) R1, 14 per kilometre in the case of a vehicle with an engine swept volume of 2 151 cm³ to 2 500 cm³, inclusive;
- (c) R1, 27 per kilometre in the case of a vehicle with an engine swept volume of 2 501 cm³ to 3 500 cm³, inclusive; or
- (d) R1, 42 per kilometre in the case of a vehicle with an engine swept volume of over 3 500 cm³.

Supplementary provisions

4. The decision of a judicial officer or a registrar or assistant registrar of the High Court of South Africa in respect of the amounts payable in terms of regulations 1, 2 and 3 shall be final.

5. Government Notice No. R. 2598 of 1 November 1991, as amended by Government Notice No. R. 1343 of 12 August 1996, is repealed as from 28 February 2002.

6. These regulations shall come into operation on 28 February 2002.

STRAFPROSESWET, 1977**REGULASIES WAARBY DIE TARIEF VAN TOELAES BETAALBAAR AAN
PSIGIATERS EN KLINIESE SIELKUNDIGES WAT AS GETUIES IN DIE HOF
OPTREE VOORGESKRYF WORD**

Die Minister van Justisie en Staatkundige Ontwikkeling het, in oorleg met die Minister van Finansies, kragtens artikel 191(3) van die Strafproseswet, 1977 (Wet No. 51 van 1977), die regulasies in die Bylae uitgevaardig.

BYLAE**Verblyftoelae**

1. Indien 'n psigiater wat aangewys of aangestel is deur of op versoek van die hof of 'n kliniese sielkundige wat deur die hof gelas is ingevolge artikel 79(1) van die Strafproseswet, 1977 (Wet No. 51 van 1977), om na die geestestoestand van 'n beskuldigde ondersoek in te stel en wat nie in heeltydse diens van die Staat is nie, 'n hof moet bywoon in verband met 'n beskuldige wat hy of sy ondersoek het, word hy of sy vir sy of haar bywoning uit staatsgelde vergoed teen 'n bedrag van R55 per uur of gedeelte van 'n uur, onderworpe aan 'n maksimum van R550 per dag.

2. Wanneer 'n psigiater of kliniese sielkundige in regulasie 1 bedoel van sy of haar permanente woonplek afwesig is vir doeleindes van bywoning van 'n hof, word aan hom of haar, benewens die bedrag waarop hy of sy ingevolge regulasie 1 geregtig is, 'n bedrag gelyk aan sy of haar redelike werklike uitgawes betaal.

Reiskoste en vervoer

3. 'n Psigiater of kliniese sielkundige in regulasie 1 bedoel, kan op staatskoste en op die wyse wat hy of sy goeddink, reis na en van die sittingsplek van die hof: Met dien verstande dat waar 'n psigiater of kliniese sielkundige van private vervoer gebruik maak, hy of sy geregtig is op vergoeding teen die tarief van -

- (a) R 1, 10 per kilometer in die geval van 'n motor met 'n enjinslagvolume van 2 150 cm³ of minder;
- (b) R1, 14 per kilometer in die geval van 'n motor met 'n enjinslagvolume van 2 151 cm³ to 2 500 cm³, insluitend;
- (c) R1, 27 per kilometer in die geval van 'n motor met 'n enjinslagvolume van 2 501 cm³ to 3 500 cm³, insluitend; of
- (d) R1, 42 per kilometer in die geval van 'n motor met 'n enjinslagvolume van meer as 3 500 cm³.

Aanvullende bepalings

4. Die beslissing van 'n regterlike beampte of griffier of assistent-griffier van die Hoë Hof van Suid-Afrika ten opsigte van die bedrae betaalbaar ingevolge regulasies 1, 2 en 3 is finaal.

5. Goewermentskennisgewing No. R. 2598 van 1 November 1991, soos gewysig by Goewermentskennisgewing No. R. 1343 van 12 Augustus 1996, word met ingang van 28 Februarie 2002 herroep.

6. Hierdie regulasies tree in werking op 28 Februarie 2002.

No. R. 215**28 February 2002****CRIMINAL PROCEDURE ACT, 1977****TARIFF PAYABLE TO PSYCHIATRISTS OR CLINICAL PSYCHOLOGISTS FOR AN ENQUIRY INTO THE MENTAL CONDITION OF AN ACCUSED**

The Minister for Justice and Constitutional Development has, in consultation with the Minister of Finance, under section 79(11) of the Criminal Procedure Act, 1977 (Act No. 51 of 1977), determined the tariff in the Schedule.

SCHEDULE

1. A psychiatrist who is designated or appointed by or at the request of the court or a clinical psychologist who is directed by the court in terms of section 79(1) of the Criminal Procedure Act, 1977 (Act No. 51 of 1977), to enquire into the mental condition of an accused and who is not in the full-time service of the State, shall be compensated for his or her services in connection with such enquiry from public funds at the rate of R150 per hour or part of an hour.
2. The decision of a judicial officer or a registrar or assistant registrar of the High Court of South Africa in respect of the amount payable in terms of this tariff shall be final.
3. Government Notice No. R. 2599 of 1 November 1991 is repealed from 28 February 2002.
4. This tariff shall come into operation on the 28 February 2002.

STRAFPROSESWET, 1977**TARIEF BETAALBAAR AAN PSIGIATERS EN KLINIESE SELKUNDIGES VIR DIE ONDERSOEK NA DIE GEESTESTOESTAND VAN 'N BESKULDIGDE**

Die Minister van Justisie en Staatkundige Ontwikkeling het, in oorleg met die Minister van Finansies, kragtens artikel 79(11) van die Strafproseswet, 1977 (Wet No. 51 van 1977), die tarief in die Bylae bepaal.

BYLAE

1. 'n Psigiater wat aangewys of aangestel is deur of op versoek van die hof of 'n kliniese sielkundige wat deur die hof gelas is ingevolge artikel 79(1) van die Strafproseswet, 1977 (Wet No. 51 van 1977), om na die geestestoestand van 'n beskuldige ondersoek in te stel en wat nie in heeltydse diens van die Staat is nie, word vir sy of haar dienste in verband met die ondersoek uit staatsgelde vergoed teen 'n bedrag van R150 per uur of 'n gedeelte van 'n uur.
 2. Die beslissing van 'n regterlike beampte of griffier of assistent-griffier van die Hoë Hof van Suid-Afrika ten opsigte van die bedrae betaalbaar ingevolge hierdie tarief is finaal.
 3. Goewermentskennisgewing No. R. 2599 van 1 November 1991 word met ingang van 28 Februarie 2002 herroep.
 4. Hierdie tarief tree in werking op 28 Februarie 2002.
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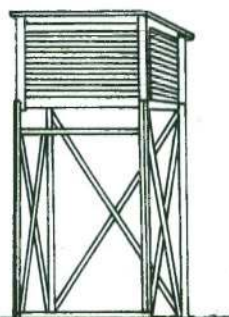
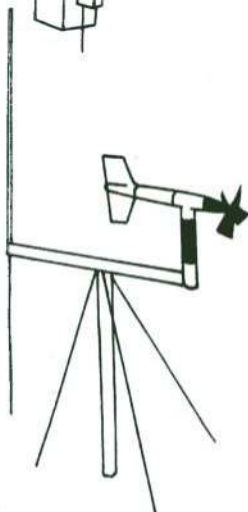
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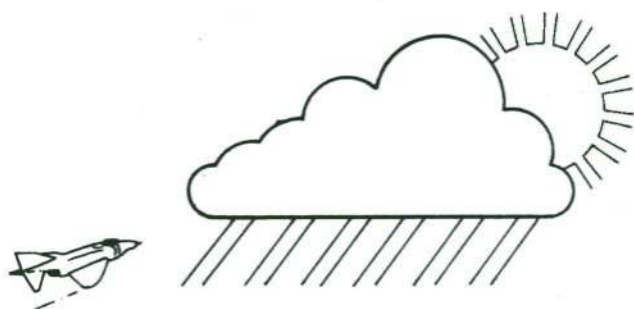
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