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VAN DIE REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA

GOVERNMENT GAZETTE

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DEPARTEMENT VAN DIE EERSTE MINISTER

DEPARTMENT OF THE PRIME MINISTER

No. 314.

9 Maart 1977.

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

No. 2 van 1977: Wet op die Afskaffing van Gyseling, 1977.

No. 314.

9 March 1977.

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

No. 2 of 1977: Abolition of Civil Imprisonment Act, 1977.

ACT

To abolish civil imprisonment; to repeal the law "To amend the Law as to Imprisonment for Debt", 1881 (Transvaal), and the Civil Imprisonment Restriction Act, 1942; and to provide for incidental matters.

*(English text signed by the State President.)
(Assented to 24 February 1977.)*

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

Abolition of civil imprisonment.

1. No court shall have power to order the civil imprisonment of a debtor for his failure to pay a sum of money in terms of any judgment.

Existing decrees of civil imprisonment.

2. Any decree of civil imprisonment which is in force at the commencement of this Act shall as from the said commencement be of no force or effect.

Saving.

3. This Act shall not affect the power of a court to grant an order for the committal of any person for contempt of court or to sentence a judgment debtor to imprisonment in terms of any provision of the Magistrates' Courts Act, 1944 (Act No. 32 of 1944), for failing to satisfy a judgment.

Repeal of Law 7 of 1881 (Transvaal) and Act 21 of 1942.

4. The law "To amend the Law as to Imprisonment for Debt", 1881 (Transvaal), and the Civil Imprisonment Restriction Act, 1942, are hereby repealed.

Short title.

5. This Act shall be called the Abolition of Civil Imprisonment Act, 1977, and shall come into operation on a date fixed by the State President by proclamation in the *Gazette*.

WET

Om gyseling af te skaf; om die wet „Ter Verbetering van de Wet op Gevangenneming Voor Schuld”, 1881 (Transvaal), en die Gyseling-beperkingswet, 1942, te herroep; en om vir bykomstige aangeleenthede voorsiening te maak.

*(Engelse teks deur die Staatspresident geteken.)
(Goedgekeur op 24 Februarie 1977.)*

DAAR WORD BEPAAL deur die Staatspresident, die Senaat en die Volksraad van die Republiek van Suid-Afrika, soos volg:—

1. Geen hof is bevoeg om die gyseling van 'n skuldenaar te Afkaffing van gelas weens sy versuim om 'n som geld ingevolge 'n vonnis te gyseling. betaal nie.

2. 'n Bevel tot gyseling wat van krag is by die inwerkingtreding Bestaande bevel van hierdie Wet is vanaf bedoelde inwerkingtreding van nul en tot gyseling. gener waarde.

3. Hierdie Wet raak nie die bevoegdheid van 'n hof om 'n bevel Voorbehoud. te verleen vir gevangesetting van 'n persoon weens minagting van die hof of om 'n vonnisskuldenaar ingevolge enige bepaling van die Wet op Landdroshowe, 1944 (Wet No. 32 van 1944), te vonnis om gevangenisstraf te ondergaan weens sy versuim om aan 'n vonnis te voldoen nie.

4. Die wet „Ter Verbetering van de Wet op Gevangenneming Voor Schuld”, 1881 (Transvaal), en die Gyseling-beperkingswet, 1942, word hierby herroep. Herroeping van Wet 7 van 1881 (Transvaal) en Wet 21 van 1942.

5. Hierdie Wet heet die Wet op die Afkaffing van Gyseling, 1977, Kort titel. en tree in werking op 'n datum wat die Staatspresident by proklamasie in die *Staatskoerant* bepaal.

