

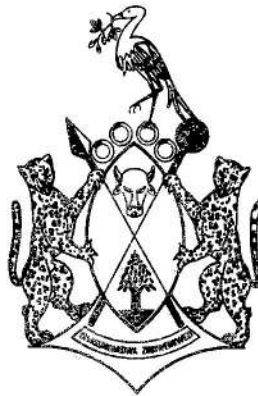
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DEPARTMENT OF JUSTICE

DECREE No. 17 OF 1990

PREVENTION OF THE RELEASE ON BAIL DECREE

# DEPARTMENT OF JUSTICE

DECREE No. 17 OF 1990

## PREVENTION OF THE RELEASE ON BAIL DECREE, 1990

To provide for the prevention of the release on bail of accused persons who may constitute a threat to the security of the State or the Maintenance of Law and Order, as an extraordinary and temporary measure for a period of one year from the date of the take-over of the Government of the Republic by the Council of State.

*BE IT DECREED by the Council of State for the Republic of Ciskei, as follows:-*

1. Councillor of State for Law and Order may prevent granting of bail. - (1) Whenever any person is in custody in respect of any offence, the Councillor of State for Law and Order may, if he considers it necessary in the interest of the security of the State or the Maintenance of Law and Order, issue an order that such person shall not be released on bail or otherwise before sentence has been passed, or he has been discharged.

(2) Notwithstanding anything in any other law contained, but subject to the provisions of subsection (3), no person shall be released on bail or otherwise contrary to the terms of an order issued under subsection (1).

(3) The Councillor of State for Law and Order may at any time before its expiration rescind any order issued in terms of subsection (1).

(4) The Councillor of State for Law and Order may act in terms of subsection (1) without prior notice to, and without hearing, the person concerned.

(5) No Court shall have jurisdiction to order the release from custody of any person in relation to whom an order has been issued under subsection (1), or to pronounce on the validity of any order issued under subsection (1), or to pronounce upon the Councillor's decision that sufficient facts exist for an order under subsection (1) to issue.

2. This decree to lapse on 4 March 1991. - This decree shall lapse and shall cease to have any force or effect on the fourth day of March 1991.

3. Short Title. - This Decree shall be called the Prevention of the Release On Bail Decree, 1990.

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