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GENERAL NOTICE**NOTICE 2064 OF 2001
PARLIAMENT OF THE
REPUBLIC OF SOUTH AFRICA****DEPARTMENT OF JUSTICE AND
CONSTITUTIONAL DEVELOPMENT****PUBLICATION OF EXPLANATORY SUMMARY
OF THE JUDICIAL OFFICERS
AMENDMENT BILL, 2001**

The Minister for Justice and Constitutional Development intends introducing the Judicial Officers Amendment Bill, 2001, in the National Assembly shortly. The explanatory summary of the Bill is hereby published in accordance with Rule 241(c) of the Rules of the National Assembly.

The Bill aims to amend—

- * the Magistrates' Courts Act, 1944, so as to further regulate the appointment of magistrates;
- * the Supreme Court Act, 1959, so as to further regulate the remuneration of judges;
- * the Judges' Remuneration and Conditions of Employment Act, 1989, so as to substitute certain definitions; to bring the provisions relating to the offices of Chief Justice of South Africa and President of the Constitutional Court into line with the Constitution; to make provision for the offices of Deputy Chief Justice and Deputy President of the Supreme Court of Appeal; to further regulate the remuneration of judges and constitutional judges; to further regulate the discharge of judges from active service; to make further provision in connection with the performance of service by a judge discharged from active service; to provide for the performance of service as Deputy Chief Justice or President or Deputy President of the Supreme Court of Appeal by a Deputy Chief Justice or President or Deputy President of the Supreme Court of Appeal discharged from active service; to further regulate the vacation of office by constitutional judges; to further regulate the amounts payable to the surviving spouse or partner of judges; to substitute obsolete expressions; to create a mechanism to deal with complaints against judges of the Constitutional Court, the Supreme Court of Appeal, the High Courts and courts of status similar to a High Court; to make the Judges' Remuneration and Conditions of Employment Act, 1989, applicable throughout the Republic; and to repeal corresponding laws applicable in the former homelands;
- * the Magistrates Act, 1993, so as to further regulate the salaries of magistrates;
- * the Independent Commission for the Remuneration of Public Office-bearers Act, 1997, so as to extend the definition of "office-bearer" to include judges and magistrates and to extend the functions of the Independent Commission for the Remuneration of Public Office-bearers; and
- * the Public Finance Management Act, 1999, in order to add the salaries and allowances paid to magistrates to Schedule 5 thereof.

A copy of the Bill can be found on the website of the Parliamentary Monitoring Group at "<http://www.pmg.org.za>" and may, after introduction, also be obtained from:

1. Government Printers: Cape Town and Pretoria
2. Mr MV Pama
Parliament
PO Box 15
CAPE TOWN 8000
Telephone: (021) 403 2078
3. Mr NL Phakola
Room 528
120 Plein Street Building
CAPE TOWN 8001
Telephone: (021) 465 3420

ALGEMENE KENNISGEWING**KENNISGEWING 2064 VAN 2001
PARLEMENT VAN DIE
REPUBLIEK VAN SUID-AFRIKA****DEPARTEMENT VAN JUSTISIE EN
STAATKUNDIGE ONTWIKKELING****PUBLIKASIE VAN VERDUIDELIKENDE OPSOMMING VAN
DIE WYSIGINGSWETSONTWERP OP REGTERLIKE
AMPTENARE, 2001**

Die Minister vir Justisie en Staatskundige Ontwikkeling beoog om die Wysigingswetsonwerp op Regterlike Amptenare, 2001, eersdaags in die Nasionale Vergadering in te dien. Die verduidelikende opsomming van die Wetsontwerp word hierby ooreenkomstig Reël 241(c) van die Reëls van die Nasionale Vergadering gepubliseer.

Die Wetsontwerp beoog die wysiging van—

- * die Wet op Landdroshoue, 1944, ten einde die aanstelling van landdroste verder te reël;
- * die Wet op die Hooggeregshof, 1959, ten einde die besoldiging van regters verder te reël;
- * die Wet op Besoldiging en Diensvoorwaardes van Regters, 1989, ten einde sekere woordomskrivings te vervang; die bepalings ten opsigte van die ampte van Hoofregter van Suid-Afrika en President van die Konstitusionele Hof in ooreenstemming met die Grondwet te bring; voorsiening te maak vir die ampte van Adjunk-hoofregter en Adjunk-president van die Hoogste Hof van Appèl; die besoldiging van regters en konstitusionele regters verder te reël; die ontheffing van regters van aktiewe diens verder te reël; verdere voorsiening te maak in verband met die verrigting van diens deur 'n regter wat van aktiewe diens onthef is; voorsiening te maak vir die verrigting van diens as Adjunk-hoofregter of President of Adjunk-president van die Hoogste Hof van Appèl deur 'n Adjunk-hoofregter of President of Adjunk-president van die Hoogste Hof van Appèl wat van aktiewe diens onthef is; die ampsontruiming deur konstitusionele regters verder te reël; die bedrae wat aan die oorlewende gade of lewensmaat van regters betaalbaar is, verder te reël; verouderde bepalings te vervang; 'n meganisme daar te stel ten einde klagtes teen regters van die Konstitusionele Hof, die Hoogste Hof van Appèl, die Hoë Hof en hofe met 'n status soortgelyk aan die van 'n Hoë Hof, te behartig; die Wet op Besoldiging en Diensvoorwaardes van Regters, 1989, dwarsdeur die Republiek van toepassing te maak; en om die ooreenstemmende wette wat in die voormalige tuislande van toepassing was, te herroep;
- * die Wet op Landdroste, 1993, ten einde die besoldiging van landdroste verder te reël;
- * die Wet op die Onafhanklike Kommissie vir die Besoldiging van Openbare Ampsbekleërs, 1997, ten einde die omskrywing van "ampsbekleër" uit te brei om regters en landdroste in te sluit en om die werksaamhede van die Onafhanklike Kommissie vir die Besoldiging van Openbare Ampsbekleërs uit te brei; en
- * die Wet op Openbare Finansiële Bestuur, 1999, ten einde die salarisse en toelaes wat aan landdroste betaal word, in Bylae 5 daarvan by te voeg.

'n Afskrif van die Wetsontwerp kan op die webtuiste van die Parlementêre Monitorings Groep by "<http://www.pmg.org.za>" gevind word en kan, na indiening, ook verkry word vanaf:

1. Staatsdrukkers: Kaapstad en Pretoria
2. Mnr MV Pama
Parlement
Posbus 15
KAAPSTAD 8000
Telefoon: (021) 403 2078
3. Mnr NL Phakola
Kamer 528
Pleinstraat Gebou 120
KAAPSTAD 8001
Telefoon: (021) 465 3420

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TEL. (012) 334-4507, 334-4511, 334-4509, 334-4515—5200