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OFFICE OF THE PRESIDENT

KANTOOR VAN DIE PRESIDENT

No. 507.

28 April 1999

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

No. 26 of 1999: Judicial Matters Amendment Act, 1999.

No. 507.

28 April 1999

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

No. 26 van 1999: Wysigingswet op Geregtelike Aangeleenthede, 1999.

GENERAL EXPLANATORY NOTE:

- [] Words in bold type in square brackets indicate omissions from existing enactments.
- Words underlined with a solid line indicate insertions in existing enactments.

(English text signed by the President.)
(Assented to 14 April 1999.)

ACT

To amend the Justices of the Peace and Commissioners of Oaths Act, 1963, so as to further regulate the appointment of justices of the peace and commissioners of oaths; to amend the Administration of Estates Act, 1965, so as to further regulate the appointment of appraisers; to amend the Small Claims Courts Act, 1984, so as to further regulate the appointment of commissioners for small claims; and to provide for matters connected therewith.

BE IT ENACTED by the Parliament of the Republic of South Africa, as follows:—

Amendment of section 2 of Act 16 of 1963, as substituted by section 1 of Act 36 of 1986 and amended by section 4 of Act 18 of 1996

1. Section 2 of the Justices of the Peace and Commissioners of Oaths Act, 1963, is hereby amended by the substitution for subsection (1) of the following subsection:

“(1) The Minister of Justice (hereinafter referred to as the Minister) or any officer of the Department of Justice with the rank of director, or an equivalent or higher rank, delegated thereto in writing by the Minister may, subject to the provisions of subsection (2), appoint for any magisterial district so many justices of 10 the peace as [he] the Minister or the delegated officer may deem fit.”.

Amendment of section 5 of Act 16 of 1963

2. Section 5 of the Justices of the Peace and Commissioners of Oaths Act, 1963, is hereby amended by the substitution for subsection (1) of the following subsection:

“(1) The Minister or any officer of the Department of Justice with the rank of 15 director, or an equivalent or higher rank, delegated thereto in writing by the Minister may appoint any person as a commissioner of oaths for any area fixed by the Minister or the delegated officer.”.

Amendment of section 6 of Act 66 of 1965, as amended by section 2 of Act 86 of 1983

3. Section 6 of the Administration of Estates Act, 1965, is hereby amended by the 20 substitution for subsection (1) of the following subsection:

“(1) The Minister or any officer of the Department of Justice with the rank of director, or an equivalent or higher rank, delegated thereto in writing by the Minister may from time to time appoint for any area specified by [him] the

Minister or the delegated officer such and so many persons as **[he]** the Minister or the delegated officer thinks fit, to be appraisers for the valuation of property for the purposes of this Act, and may at any time revoke any appointments so made.”.

Amendment of section 9 of Act 61 of 1984, as amended by section 5 of Act 92 of 1986, section 1 of Act 63 of 1989 and section 4 of Act 18 of 1996 5

4. Section 9 of the Small Claims Courts Act, 1984, is hereby amended by the substitution for paragraph (a) of subsection (1) of the following paragraph:

“(a) Subject to the provisions of this section, the Minister or any officer of the Department of Justice with the rank of director, or an equivalent or higher rank, delegated thereto in writing by the Minister may appoint one or more commission- 10
ers for any court.”.

Short title

5. This Act shall be called the Judicial Matters Amendment Act, 1999.