

Please note that most Acts are published in English and another South African official language. Currently we only have capacity to publish the English versions. This means that this document will only contain even numbered pages as the other language is printed on uneven numbered pages.



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THE PRESIDENCY

No. 525

22 July 2013

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

Act No. 8 of 2013: Criminal Procedure Amendment Act, 2013



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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 7 July 2013)

ACT

To amend the Criminal Procedure Act, 1977, so as to further regulate applications for condonation, leave to appeal and further evidence; and to provide for matters connected therewith.

Parliament of the Republic of South Africa enacts, as follows:—

Amendment of section 316 of Act 51 of 1977, as substituted by section 5 of Act 42 of 2003 and amended by section 16 of Act 66 of 2008 and section 99 of Act 75 of 2008

1. Section 316 of the Criminal Procedure Act, 1977, is hereby amended— 5
- (a) by the substitution in subsection (10) for paragraph (c) of the following paragraph:
- “*(c)* the record of the proceedings in the High Court in respect of which the application was refused, if—
- | | |
|---|----|
| (i) the accused was not legally represented at the trial; or | 10 |
| (ii) the accused is not legally represented for the purposes of the petition; or | |
| (iii) the prospective appeal is not against sentence only; or | |
| (iv) the judges considering the petition, in the interest of justice, request the record or only a portion of the record.”; and | 15 |
- (b) by the deletion in subsection (12) of the word “or” at the end of paragraph (a), the insertion in that subsection of the word “or” at the end of paragraph (b) and the addition to that subsection of the following paragraph:
- “*(c)* call for a copy of the record or portion of the record of the proceedings if it was not submitted in terms of subsection (10)(c).” 20

Short title and commencement

2. This Act is called the Criminal Procedure Amendment Act, 2013, and is deemed to have come into operation on 10 September 2010.