

REPUBLIC
OF
SOUTH AFRICA



REPUBLIEK
VAN
SUID-AFRIKA

Government Gazette Staatskoerant

Vol. 413

CAPE TOWN,
KAAPSTAD, 25 NOVEMBER 1999

No. 20676

**GENERAL NOTICE
NOTICE 2616 OF 1999
DEPARTMENT OF JUSTICE**

**ALGEMENE KENNISGEWING
KENNISGEWING 2616 VAN 1999
DEPARTEMENT VAN JUSTISIE**

**PUBLICATION OF LIMITATION OF LEGAL
PROCEEDINGS AGAINST GOVERNMENT
INSTITUTIONS BILL [B 65—99]**

The abovementioned Bill, which the Minister for Justice and Constitutional Development intends introducing in the National Assembly, is hereby published in terms of Rule 241 of the National Assembly.

Interested persons and institutions are invited to submit written representations on the Bill by not later than 29 January 2000 to:

The Secretary to Parliament
For attention: Mr B Kali
Committee Section
Parliament
P.O. Box 15
Cape Town
8000
Fax: (021) 462 2141
Tel: (021) 403 3843

**PUBLIKASIE VAN WETSONTWERP OP DIE
BEPERKING VAN REGSGEDINGE TEEN
OWERHEIDSINSTELLINGS [W 65—99]**

Bogenoemde Wetsontwerp, wat die Minister vir Justisie en Staatkundige Ontwikkeling voornemens is om in die Nasionale Vergadering in te dien, word hierby ingevolge in Reël 241 van die Nasionale Vergadering gepubliseer.

Belanghebbendes word versoek om, voor 29 Januarie 2000, skriftelike kommentaar op die Wetsontwerp te rig aan:

Die Sekretaris van die Parlement
Vir aandag: Mnr B Kali
Komitee-afdeling
Parlement
Posbus 15
Kaapstad
8000
Faks: (021) 462 2141
Tel: (021) 403 3843

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.

BILL

To make fresh provision for notice requirements in connection with the institution of legal proceedings against government institutions in respect of certain debts; to repeal or amend certain Acts; and to provide for matters connected therewith.

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

Definitions

1. In this Act, unless the context indicates otherwise—

- (i) “creditor” means a person who intends to institute legal proceedings against a government institution for recovery of a debt arising from delict or who has instituted such proceedings, and includes such person’s tutor or curator if such person is a minor or mentally ill or under curatorship, as the case may be; (ii)
- (ii) “delict” includes an unlawful act for which a defendant is liable for payment of damages without fault in terms of a statutory provision; (i)
- (iii) “government institution” means—
 - (a) a municipality contemplated in section 151 of the Constitution;
 - (b) a traditional authority contemplated in section 211(2) of the Constitution;
 - (c) the South African Roads Board established by section 2 of the South African Road Board Act, 1988 (Act No. 74 of 1988);
 - (d) the South African National Parks referred to in section 5(1) of the National Parks Act, 1976 (Act No. 57 of 1976);
 - (e) the Office of the Auditor-General established by section 3 of the Audit Arrangements Act, 1992 (Act No. 122 of 1992);
 - (f) any department contemplated in Schedule 1 to the Public Service Act, 1994 (Proclamation No. 103 of 1994), and any organisational component contemplated in Schedule 2 to that Act;
 - (g) any functionary who may be cited as the nominal defendant in any legal proceedings against a body or institution contemplated in paragraphs (a) to (f); and
 - (h) any person for whose actions a body or institution contemplated in paragraphs (a) to (f) is liable in respect of a debt arising from delict. (ii)

ALGEMENE VERDUIDELIKENDE NOTA:

[] Woorde in vet druk tussen vierkantige hake dui skrappings uit bestaande verordenings aan.

_____ Woorde met 'n volstreep daaronder, dui invoegings in bestaande verordenings aan.

WETSONTWERP

Om, ten opsigte van sekere skulde, opnuut voorsiening te maak vir kennisgewingsvereistes in verband met die instel van regsgedinge teen owerheidsinstellings; om sekere Wette te herroep of te wysig; en om voorsiening te maak vir aangeleenthede wat daarmee in verband staan.

DAAR WORD BEPAAL deur die Parlement van die Republiek van Suid-Afrika, soos volg:—

Woordomskrywing

1. In hierdie Wet, tensy uit die samehang anders blyk, beteken—
 - 5 (i) “delik” ook ’n wederregtelike handeling waarvoor ’n verweerder ingevolge ’n wetsbepaling op ’n skuldlose grondslag vir die betaling van skadevergoeding aanspreeklik is; (ii)
 - (ii) “owerheidsinstelling”—
 - 10 (a) ’n munisipaliteit in artikel 151 van die Grondwet beoog;
 - (b) ’n tradisionele owerheid in artikel 211(2) van die Grondwet beoog;
 - (c) die Suid-Afrikaanse Padraad by artikel 2 van die Wet op die Suid-Afrikaanse Padraad, 1988 (Wet No. 74 van 1988), ingestel;
 - (d) die Suid-Afrikaanse Nasionale Parke in artikel 5(1) van die Wet op Nasionale Parke, 1976 (Wet No. 57 van 1976), bedoel;
 - 15 (e) die Kantoor van die Ouditeur-generaal by artikel 3 van die Oudit-reëlingswet, 1992 (Wet No. 122 van 1992), ingestel;
 - (f) enige departement in Bylae 1 by die Staatsdienswet, 1994 (Proklamasie No. 103 van 1994), beoog en enige organisasiekomponent in Bylae 2 by daardie Wet beoog;
 - 20 (g) enige funksionaris wat as nominale verweerder in ’n regsgeding teen ’n liggaam of instelling beoog in paragrawe (a) tot (f) gesitueer kan word; en
 - (h) enige persoon vir wie se handeling ’n liggaam of instelling beoog in paragrawe (a) tot (f) ten opsigte van ’n skuld wat uit delik ontstaan, aanspreeklik is; (iii)
 - 25 (iii) “skuldeiser” ’n persoon wat beoog om ’n regsgeding teen ’n owerheidsinstelling in te stel ter verhaling van ’n skuld wat uit delik ontstaan het of wat alreeds so ’n regsgeding ingestel het en ook so ’n persoon se voog of kurator indien daardie persoon minderjarig, geestesongesteld of onder kuratorskap is, na gelang van die geval. (i)
 - 30

Notice of intended legal proceedings to be given to government institution

2. (1) Subject to this Act, no legal proceedings for the recovery of a debt arising from delict may be instituted against a government institution unless the creditor has given the government institution notice in writing of his or her intention to institute the legal proceedings in question or the government institution has consented in writing to the institution of legal proceedings without such notice. 5

(2) The notice contemplated in subsection (1) must—

- (a) briefly set out the facts relied on for the intended legal proceedings;
- (b) be delivered by hand or sent by certified mail to the person who is to be cited as defendant or respondent, as the case may be, within six months from the date upon which the debt became due. 10

(3) For the purposes of subsection (2)(b)—

- (a) a debt may not be regarded as being due until the creditor has knowledge of the identity of the debtor and of the facts from which the debt has arisen, but a creditor must be regarded as having acquired such knowledge as soon as he or she could have acquired it by exercising reasonable care, unless the debtor wilfully prevents him or her from acquiring such knowledge; and 15
- (b) if a creditor institutes legal proceedings after the commencement of this Act in respect of a debt which became due before such commencement, such debt must be regarded as having become due on the date of commencement of this Act. 20

(4) If a government institution relies on a creditor's failure to give notice in terms of subsection (2), a court having jurisdiction may condone the failure on application by the creditor if the court is satisfied that—

- (a) good cause exists for the failure by the creditor; or 25
- (b) the government institution was not unreasonably prejudiced by the failure.

(5) The court may, subject to any law relating to the extinction of debts by prescription, grant leave to institute the legal proceedings subject to any conditions regarding notice to the government institution which the court may lay down.

(6) The court may not have regard to non-compliance with subsection (2) unless such non-compliance is raised by a government institution. 30

Prescription of debts

3. Section 2 does not derogate from the provisions of section 344 of the Merchant Shipping Act, 1951 (Act No. 57 of 1951), section 2(6)(b) of the Apportionment of Damages Act, 1956 (Act No. 34 of 1956), or the Prescription Act, 1969 (Act No. 68 of 1969). 35

Repeal and amendment of laws

4. (1) Subject to subsection (2), the laws referred to in the Schedule are hereby amended or repealed to the extent set out in the third column of the Schedule.

(2) With regard to any legal proceedings instituted before the commencement of this Act and which were not before such commencement finally determined by a judgment or by a settlement duly concluded, the amendment or repeal of a law in terms of subsection (1) must be regarded as having taken effect immediately before the cause of action arose. 40

Conflict with other laws

5. In the event of a conflict between section 2 of this Act and any other law in force immediately before the commencement of this Act, other than the Constitution, section 2 of this Act prevails. 45

Kennisgewing van voorgenome regsgeding moet aan owerheidsinstelling gegee word

2. (1) Behoudens hierdie Wet word geen regsgeding vir die verhaal van 'n skuld wat uit delik ontstaan teen 'n owerheidsinstelling ingestel nie tensy die skuldeiser die owerheidsinstelling skriftelik kennis gegee het van sy of haar voorneme om die betrokke regsgeding in te stel, of die owerheidsinstelling skriftelik toegestem het tot die instel van die regsgeding sonder sodanige kennisgewing.
- (2) Die kennisgewing in subartikel (1) beoog, moet—
- (a) die feite waarop die voorgenome regsgeding berus, kortliks uiteensit;
- (b) binne ses maande vanaf die datum waarop die skuld opeisbaar geword het, per hand afgelewer word of per gesertifiseerde pos gestuur word aan die persoon wat as verweerder of respondent, na gelang van die geval, gesitêr staan te word.
- (3) By die toepassing van subartikel (2)(b)—
- (a) word 'n skuld nie geag opeisbaar te wees voordat die skuldeiser kennis dra van die identiteit van die skuldenaar en van die feite waaruit die skuld ontstaan het nie, maar word 'n skuldeiser geag sodanige kennis te bekom het sodra hy of sy dit deur die uitoefening van redelike sorg kon bekom het, tensy die skuldenaar hom of haar opsetlik verhinder om sodanige kennis te bekom; en
- (b) indien 'n skuldeiser 'n regsgeding na die inwerkingtreding van hierdie Wet instel ten opsigte van 'n skuld wat opeisbaar geword het voor daardie inwerkingtreding, word daardie skuld geag op die datum van inwerkingtreding van hierdie Wet opeisbaar te geword het.
- (4) Indien 'n owerheidsinstelling steun op 'n skuldeiser se versuim om ingevolge subartikel (2) kennis te gee, kan 'n hof wat regsbevoegdheid het, op aansoek van die skuldeiser, die versuim kondoneer indien die hof oortuig is dat—
- (a) daar gegronde rede vir die skuldeiser se versuim bestaan; of
- (b) die owerheidsinstelling nie onredelik deur die versuim benadeel is nie.
- (5) Die hof kan, behoudens enige wetsbepaling met betrekking tot die uitwissing van skuld deur verjaring en enige voorwaardes wat die hof met betrekking tot kennisgewing aan die owerheidsinstelling mag stel, verlof tot die instel van die regsgeding verleen.
- (6) Die hof mag nie 'n versuim om aan subartikel (2) te voldoen, in ag neem nie tensy so 'n versuim deur 'n owerheidsinstelling geopper word.

35 Verjaring van skuld

3. Artikel 2 doen nie afbreuk aan die bepalinge van artikel 344 van die Handel-skeepvaartwet, 1951 (Wet No. 57 van 1951), artikel 2(6)(b) van die Wet op Verdeling van Skadevergoeding, 1956 (Wet No. 34 van 1956), of die Verjaringswet, 1969 (Wet No. 68 van 1969), nie.

40 Herroeping en wysiging van wette

4. (1) Behoudens subartikel (2) word die wette in die Bylae bedoel hierby gewysig of herroep in die mate uiteengesit in die derde kolom van die Bylae.
- (2) Met betrekking tot 'n regsgeding wat voor die inwerkingtreding van hierdie Wet ingestel is en wat nie voor daardie inwerkingtreding finaal beslis is deur 'n uitspraak of deur 'n skikking wat behoorlik aangegaan is nie, word daar geag dat die wysiging of herroeping van 'n wet ingevolge subartikel (1) onmiddellik voor die ontstaan van die skuldoorsaak van krag geword het.

Strydigheid met ander wette

5. In geval van 'n strydigheid tussen artikel 2 van hierdie Wet en enige ander wet wat onmiddellik voor die inwerkingtreding van hierdie Wet van krag was, behalwe die Grondwet, geniet artikel 2 van hierdie Wet voorrang.

Short title and commencement

6. This is the Limitation of Legal Proceedings against Government Institutions Act, 2000, which comes into operation on a date fixed by the President by proclamation in the *Gazette*.

Kort titel en inwerkingtreding

6. Hierdie Wet is die Wet op die Beperking van Regsgedinge teen Owerheidsinstellings, 2000, en tree in werking op 'n datum deur die President by proklamasie in die *Staatskoerant* bepaal.

SCHEDULE

(Acts amended or repealed by section 4)

No and year of law	Short title	Extent of amendments or repeal
Act No. 38 of 1927	Black Administration Act, 1927	The repeal of section 32A.
Act No. 57 of 1951	Merchant Shipping Act, 1951	1. The repeal of section 343. 2. The amendment of section 344 by the deletion of subsection (4).
Act No. 44 of 1957	Defence Act, 1957	The repeal of section 113.
Act No. 91 of 1964	Customs and Excise Act, 1964	The substitution for section 96 of the following section: "Notice of action and period for bringing action 96. (1) [No] Subject to the provisions of subsection (3), no legal proceedings shall be instituted against the State, the Minister, the Commissioner or an officer for anything done in pursuance of this Act until one month after delivery of a notice in writing setting forth clearly and explicitly the cause of action, the name and place of abode of the person who is to institute proceedings and the name and address of his or her attorney or agent, if any. (2) Subject to the provisions of subsection (3) and section 89, the period of extinctive prescription in respect of legal proceedings against the State, the Minister, the Commissioner or an officer on a cause of action arising out of the provisions of this Act shall be one year and shall begin to run on the date when the right of action first arose. (3) This section does not apply to the recovery of a debt contemplated in section 2(1) of the Limitation of Legal Proceedings against Government Institutions Act, 2000."
Act No. 94 of 1970	Limitation of Legal Proceedings (Provincial and Local Authorities) Act, 1970	The repeal of the whole.
Act No. 54 of 1971	National Roads Act, 1971	The amendment of section 25 by the deletion of subsection (1).
Act No. 18 of 1973	Mental Health Act, 1973	The amendment of section 68 by the deletion of subsection (4).
Act No. 90 of 1979	Education and Training Act, 1979	The repeal of section 42A.
Act No. 70 of 1988	Education Affairs Act (House of Assembly), 1988	The repeal of section 108.
Act No. 122 of 1992	Audit Arrangements Act, 1992	The repeal of section 52.

BYLAE

(Wette gewysig of herroep deur artikel 4)

No en jaar van wet	Kort titel	Omvang van wysiging of herroeping
Wet No. 38 van 1927	Swart Administrasie Wet, 1927	Die herroeping van artikel 32A.
Wet No. 57 van 1951	Handelskeepvaartwet, 1951	1. Die herroeping van artikel 343. 2. Die wysiging van artikel 344 deur subartikel (4) te skrap.
Wet No. 44 van 1957	Verdedigingswet, 1957	Die herroeping van artikel 113.
Wet No. 91 van 1964	Doeane- en Aksynswet, 1964	Die vervanging van artikel 96 deur die volgende artikel: “Kennis van proses en termyn vir instel van proses 96. (1) [Geen] Behoudens die <u>bepalings van subartikel (3)</u> <u>word geen regsgeding [word]</u> teen die Staat, die Minister, die Kommissaris of 'n beampte ten opsigte van enigiets wat kragtens hierdie Wet gedoen is, ingestel nie voor verloop van een maand na aflewering van 'n skriftelike kennisgewing waarin die eisorsaak, die naam en verblyfplek van die persoon wat die geding gaan instel en die naam en adres van sy of haar prokureur of agent, indien enige, duidelik en uitdruklik uiteengesit word. (2) Behoudens die bepalinge van subartikel (3) en artikel 89, is die termyn vir bevrydende verjaring ten opsigte van 'n regsgeding teen die Staat, die Minister, die Kommissaris of 'n beampte weens 'n eisorsaak gegrond op die bepalinge van hierdie Wet, een jaar wat begin loop op die datum waarop die vorderingsreg vir die eerste maal ontstaan het. (3) Hierdie artikel is nie van toepassing nie op die verhaal van 'n skuld beoog in artikel 2(1) van die Wet op die Beperking van Regsgedinge teen Owerheidsinstellings, 2000.”.
Wet No. 94 van 1970	Wet op Beperking van Regsgedinge (Provinsiale en Plaaslike Besture), 1970	Die herroeping van die geheel.
Wet No. 54 van 1971	Wet op Nasionale Paaie, 1971	Die wysiging van artikel 25 deur subartikel (1) te skrap.
Wet No. 18 van 1973	Wet op Geestesgesondheid, 1973	Die wysiging van artikel 68 deur subartikel (4) te skrap.
Wet No. 90 van 1979	Wet op Onderwys en Opleiding, 1979	Die herroeping van artikel 42A.
Wet No. 70 van 1988	Wet op Onderwysaangeleenthede (Volksraad), 1988	Die herroeping van artikel 108.
Wet No. 122 van 1992	Ouditreëlingswet, 1992	Die herroeping van artikel 52.

No and year of law	Short title	Extent of amendments or repeal
Act No. 130 of 1993	Compensation for Occupational Injuries and Diseases Act, 1993	The repeal of section 44.
Act No. 38 of 1994	Intelligence Services Act, 1994	The repeal of section 26.
Proclamation No. 103 of 1994	Public Service Act, 1994	The repeal of section 39.
Act No. 68 of 1995	South African Police Service Act, 1995	The repeal of section 57.

No en jaar van wet	Kort titel	Omvang van wysiging of herroeping
Wet No. 130 van 1993	Wet op Vergoeding van Beroeps-beserings en -siektes, 1993	Die herroeping van artikel 44.
Wet No. 38 van 1994	Wet op Intelligensiedienste, 1994	Die herroeping van artikel 26.
Proklamasie No. 103 van 1994	Staatsdienswet, 1994	Die herroeping van artikel 39.
Wet No. 68 van 1995	Wet op die Suid-Afrikaanse Polisie-diens, 1995	Die herroeping van artikel 57.

MEMORANDUM ON THE OBJECTS OF THE LIMITATION OF LEGAL PROCEEDINGS AGAINST GOVERNMENT INSTITUTIONS BILL, 1999

1. The Bill emanates from the South African Law Commission's supplementary report on the investigation into time limits for the institution of legal proceedings against the State (Project 42).

2. The Bill seeks to provide for uniform provisions regulating the institution of legal proceedings against all government institutions. The Bill provides that no legal proceedings for the recovery of a debt arising from a delict shall be instituted against State departments and organisational components, certain government bodies, municipalities and functionaries or against a person for whose actions the State or a government body is liable, unless the defendant has been given written notice of the intention to institute such proceedings. In terms of the definition of "delict", the provisions of the Bill also apply to liability without fault in terms of statutory provisions. The notice to the defendant must be sent within six months from the date upon which the debt became due to the person to be cited as defendant or respondent in the proposed legal proceedings. A debt is not regarded as being due until the creditor (or his or her tutor, if he or she is a minor or, if he or she is under curatorship, his or her curator) has knowledge of the identity of the debtor and the circumstances from which the debt has arisen or could have acquired such knowledge by exercising reasonable care. However, the court may condone failure to give notice if good cause exists for the failure by the creditor, tutor or curator or if the defendant was not unreasonably prejudiced by the failure.

3. Provision is made in the Bill for the repeal or amendment of various provisions which limit proceedings against the State or government institutions.

4. The amendment or repeal of laws effected in terms of the Bill are to apply to all legal proceedings instituted before the commencement of the Bill which have not been concluded as at the date of commencement of the Bill. This is so as to avoid, as far as possible, the application of any law which might have been unconstitutional.

CONSULTATION

5. During 1984 the South African Law Commission sent the draft Bill and memorandum to 91 stakeholders. The Bill is an adaptation of the draft legislation recommended in the previous report to take into account changes in legislation since the previous report and the decision of the Constitutional Court on the constitutionality of one of the provisions dealt with in the previous report. In order to expedite the submission of its report, consultation by the Law Commission was limited to the three bodies affected by the removal of exceptions in the previous legislation, namely, the Department of Transport, the Compensation Commissioner (both of whom did not respond to requests to comment) and Spoornet.

FINANCIAL IMPLICATIONS FOR THE STATE

6. There are no financial implications envisaged for the State as a result of this Bill.

IMPLICATIONS FOR PROVINCES

7. Any person wishing to institute legal proceedings against a provincial administration will have to comply with the provisions of this Bill if it becomes law.

PARLIAMENTARY PROCEDURE

8. The Bill should, in the opinion of the State Law Advisers and the Department of Justice, be dealt with in accordance with section 75 of the Constitution since it contains no provision to which the procedure set out in section 74 or 76 of the Constitution applies.

MEMORANDUM OOR DIE OOGMERKE VAN DIE WETSONTWERP OP DIE BEPERKING VAN REGSGEDINGE TEEN OWERHEIDSINSTELLINGS, 1999

1. Die Wetsontwerp spruit voort uit die Suid-Afrikaanse Regskommissie se aanvullende verslag oor die ondersoek na termynre waarbinne regsgeginge teen die Staat ingestel kan word (Projek 42).

2. Die Wetsontwerp beoog om voorsiening te maak vir eenvormige bepalings wat die instel van regsgeginge teen alle owerheidsinstellings reguleer. Die Wetsontwerp bepaal dat geen regsgeging vir die verhaal van 'n skuld wat uit delik ontstaan teen Staatsdepartemente en organisasiekomponente, sekere owerheidsliggame, munisipaliteite en funksionariese of 'n persoon vir wie se handelinge die Staat of 'n owerheidsliggaam aanspreeklik is, ingestel mag word nie, tensy die verweerder skriftelik kennis gegee is van die voorneme om sodanige geding in te stel. Ingevolge die omskrywing van "delik" geld die bepalings van die Wetsontwerp ook vir skuldlose aanspreeklikheid ingevolge wetsbepalings. Die kennisgewing aan die verweerder moet binne ses maande vanaf die datum waarop die skuld opeisbaar geword het, aan die persoon wat as verweerder of respondent in die voorgenome regsgeging gesitêr staan te word, afgelewer of versend word. 'n Skuld word nie geag opeisbaar te wees nie voordat die skuldeiser (of sy of haar voog indien hy of sy 'n minderjarige is of, indien hy of sy onder kuratorskap is, sy of haar kurator) van die identiteit van die skuldenaar en die feite waaruit die skuld ontstaan, kennis dra, of deur redelike sorg uit te oefen dié kennis kon bekom het nie. Die hof kan egter die versuim om kennis te gee, kondoneer indien daar gegronde rede vir die versuim deur die skuldeiser, voog of kurator bestaan of indien die verweerder nie deur die versuim onredelik benadeel is nie.

3. Die Wetsontwerp maak voorsiening vir die herroeping of wysiging van verskeie bepalings wat gedinge teen die Staat of owerheidsinstellings beperk.

4. Die wysiging of herroeping van wette ingevolge die Wetsontwerp sal vir alle regsgeginge wat voor die inwerkingtreding van die Wetsontwerp ingestel is en wat nog nie ten tyde van sodanige inwerkingtreding afgehandel is nie, geld. Dit is om sover moontlik te verhoed dat 'n wet wat miskien ongrondwetlik was nog steeds toegepas word.

OORLEGPLEGING

5. Gedurende 1984 het die Suid-Afrikaanse Regskommissie 'n Konsepwetsontwerp en memorandum aan 91 belanghebbendes gestuur. Die Wetsontwerp is 'n aanpassing van die konsepwetgewing wat in die vorige verslag aanbeveel is, ten einde rekening te hou met wysigings in wetgewing sedert die vorige verslag en 'n beslissing van die Konstitusionele Hof oor die grondwetlikheid van een van die bepalings wat in die vorige verslag gehanteer is. Ten einde die voorlegging van sy aanvullende verslag te bespoedig, is verdere oorlegpleging deur die Kommissie beperk tot die drie instansies wat deur die verwydering van uitsonderings in die vorige wetgewing geraak is, naamlik die Departement van Vervoer, die Vergoedingskommissaris (wat nie een gereageer het op versoeke om kommentaar nie) en Spoornet.

FINANSIËLE IMPLIKASIES VIR DIE STAAT

6. Daar word geen finansiële implikasies vir die Staat voorsien as gevolg van hierdie Wetsontwerp nie.

IMPLIKASIES VIR PROVINSIËS

7. 'n Persoon wat 'n regsgeging teen 'n provinsiale administrasie wil instel, sal aan die bepalings van hierdie Wetsontwerp moet voldoen indien dit wet word.

PARLEMENTÊRE PROSEDURE

8. Die Staatsregsadviseurs en die Departement van Justisie is van mening dat die Wetsontwerp ooreenkomstig die bepalings van artikel 75 van die Grondwet gehanteer moet word aangesien dit geen bepaling bevat ten opsigte waarvan die prosedure vermeld in artikel 74 of 76 van die Grondwet geld nie.

CONTENTS

No.	Page No.	Gazette No.
GENERAL NOTICE		
Justice, Department of		
<i>General Notice</i>		
2616 Publication of Limitation of Legal Proceedings Against Government Institutions Bill	1	20676

INHOUD

No.	Bladsy No.	Koerant No.
ALGEMENE KENNISGEWING		
Justisie, Departement van		
<i>Algemene Kennisgewing</i>		
2616 Publikasie van wetsont- werp op die Beperking van Regsgedinge teen Ower- heidsinstellings	1	20676