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GENERAL NOTICE ALGEMENE KENNISGEWING

NOTICE 637 OF 2007

DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT

PUBLICATION OF EXPLANATORY SUMMARIES OF CRIMINAL LAWS (SENTENCING) AMENDMENT BILL, 2007

The Minister for Justice and Constitutional Development intends introducing the Criminal Laws (Sentencing) Amendment Bill, 2007, 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 Criminal Laws (Sentencing) Amendment Bill, 2007, aims to amend the Criminal Law Amendment Act, 1997, so as to further regulate the imposition of discretionary minimum sentences for certain serious offences; to give a regional court jurisdiction to convict and sentence a person found guilty of an offence referred to in Part I of Schedule 2, to imprisonment for life; to provide that certain circumstances shall not constitute substantial and compelling circumstances justifying the imposition of a lesser sentence, when a sentence must be imposed in respect of the offence of rape; to repeal all sections dealing with the committal of an accused for the purposes of sentence by a High Court after conviction in a regional court of an offence referred to in Schedule 2; to amend the Criminal Procedure Act, 1977, so as to provide for an automatic right of appeal if a person was sentenced to life imprisonment by a regional court; to amend the National Prosecuting Authority Act, 1998, so as to provide for policy directives indicating in which instances prosecutions in respect of offences referred to in Schedule 2 to the Criminal Law Amendment Act, 1997, must be instituted in the High Court as a court of first instance; and to provide for matters connected therewith.

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

1. Government Printers: Cape Town and Pretoria
2. Mr MVPama
Parliament
POBox 15
Cape Town 8000
Telephone (021) 403 2078

KENNISGEWING 637 VAN 2007**DEPARTEMENT VAN JUSTISIE EN STAATKUNDIGE ONTWIKKELING****PUBLIKASIE VAN VERDUIDELIKENDE OPSOMMING VAN DIE STRAFREG (VONNISOPPLEGGING) WYSIGINGSWETSONTWERP, 2007**

Die Minister vir Justisie en Staatkundige Ontwikkeling beoog om die Strafreg (Vonnisoplegging) Wysigingswetsontwerp, 2007, eersdaags by die Nasionale Vergadering in te dien. Die verduidelikende opsomming van die Wetsontwerp word hierby ooreenkomsdig Reël 241(c) van die Reëls van die Nasionale Vergadering gepubliseer.

Die **Strafreg (Vonnisoplegging) Wysigingswetsontwerp, 2007** beoog die wysiging van die Strafregwysigingswet, 1997, ten einde die oplegging van diskresionere minimum vonisse vir sekere ernstige misdrywe verder te reël; ten einde regsbevoegdheid aan 'n streekhof te verleen am 'n persoon wat skuldig is aan 'n misdryf bedoel in Deel I van Bylae 2, skuldig te bevind en tot lewenslange gevangenisstraf te vonnis; om voorsiening te maak dat sekere omtandighede nie wesenlike en dwingende omstandighede daarstel wat die oplegging van 'n mindere vonnis regverdig nie, waar daardie vonnis ten opsigte van die misdryf van verkragting opqelet staan te word; ten einde aile artikels te herroep wat handel met die verwysing van 'n beskuldigde na 'n Hoë Hof na skuldigbevinding in 'n streekhof aan 'n misdryf bedoel in Bylae 2; tot wysiging van die Strafproseswet, 1977, ten einde voorsiening te maak vir 'n outomatiese reg van appèl indien 'n persoon deur 'n streekhof tot lewenslange gevangenisstraf gevonnis is; tot wysiging van die Wet op die Nasionale Vervolgingsgesag, 1998, ten einde voorsiening te maak vir beleidsriglyne wat aandui in watter gevalle vervolgings ten opsigte van misdrywe bedoel in Bylae 2 tot die Strafregwysigingswet, 1997, in die Hoë Hof

as 'n hof van eerste instansie ingestel moet word; en am voorsiening te maak vir aangeleenthede wat daarmee in verband staan.

In Afksrif van die Engels teks van die Wetsantwerp kan op die webtuiste van die Parlementere Maniterings Graep 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

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