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GENERAL NOTICE ALGEMENE KENNISGEWING

NOTICE 5 OF 2012

DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT

PUBLICATION OF EXPLANATORY SUMMARY OF THE SHERIFFS AMENDMENT BILL, 2012

The Minister of Justice and Constitutional Development intends introducing the Sheriffs Amendment Bill, 2012, in the National Assembly shortly. The explanatory summary of the Bill is hereby published in accordance with Rule 241(1)(c) of the Rules of the National Assembly.

The Bill seeks to amend the Sheriffs Act, 1986 (Act No. 90 of 1986), so as to substitute certain definitions and to insert a new definition; to provide for the establishment of Advisory Committees to assist the Minister of Justice and Constitutional Development in the appointment of sheriffs and to provide that the conditions on which sheriffs may be appointed may be prescribed by regulation; to provide for allowances payable to members of the Advisory Committees; to further regulate the appointment of acting sheriffs and the appointment of sheriffs for a particular suit in certain circumstances; to empower the Minister of Justice and Constitutional Development to designate persons to serve process of court in certain circumstances and to appoint sheriffs or acting sheriffs to perform certain functions of sheriffs in areas where no sheriff or acting sheriff has been appointed in certain circumstances; to further regulate the objects of the South African Board for Sheriffs; to amend the constitution of the South African Board for Sheriffs; to further regulate the filling of vacancies of, and the vacating of office by, members of the South African Board for Sheriffs; to further regulate the allowances payable to members of the South African Board for Sheriffs and committees of that Board; to provide for the dissolution of the South African Board for Sheriffs and the appointment of an interim Board; to further regulate the general functions of the South African Board for Sheriffs; to further regulate the utilization of the moneys in the Fidelity Fund for Sheriffs; to further regulate the auditing of records and financial statements of the Fidelity Fund for Sheriffs; to further regulate improper conduct by sheriffs; and to extend the matters in respect of which regulations can be made; and to provide for matters connected therewith.

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

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KENNISGEWING 5 VAN 2012**DEPARTEMENT VAN JUSTISIE EN STAATKUNDIGE ONTWIKKELING****PUBLIKASIE VAN VERDUIDELIKENDE OPSOMMING VAN DIE
WYSIGINGSWETSONTWERP OP BALJU'S, 2012**

Die Minister van Justisie en Staatkundige Ontwikkeling beoog om die Wysigingswetsontwerp op Balju's, 2012, eersdaags in die Nasionale Vergadering in te dien. Die verduidelikende opsomming van die Wetsontwerp word hierby ooreenkomstig Reël 241(1)(c) van die Reëls van die Nasionale Vergadering gepubliseer.

Die Wetsontwerp beoog om die Wet op Balju's, 1986 (Wet No. 90 van 1986), te wysig ten einde sekere woordskrywings te vervang en om 'n nuwe woordskrywing in te voeg; om vir die instelling van Advieskomitees om die Minister van Justisie en Staatkundige Ontwikkeling behulpsaam te wees in die aanstelling van balju's voorsiening te maak en om voorsiening te maak dat die voorwaardes waarop balju's aangestel kan word by regulasie voorgeskryf kan word; om vir toelaes betaalbaar aan lede van die Advieskomitees voorsiening te maak; om die aanstelling van waarnemende balju's en die aanstelling van balju's vir 'n bepaalde geding onder sekere omstandighede verder te reël; om die Minister van Justisie en Staatkundige Ontwikkeling te magtig om persone aan te wys om prosesstukke onder sekere omstandighede te beteken en om balju's of waarnemende balju's aan te stel om sekere werksaarnhede van balju's in gebiede waar geen balju of waarnemende balju aangestel is nie, onder sekere omstandighede te verrig; om die oogmerke van die Suid-Afrikaanse Raad vir Balju's verder te reël; om die samestelling van die Suid-Afrikaanse Raad vir Balju's te wysig; om die vulling van vakatures van, en die ontruiming van amp deur, lede van die Suid-Afrikaanse Raad vir Balju's verder te reël; om die toelaes betaalbaar aan lede van die Suid-Afrikaanse Raad vir Balju's en komitees van daardie Raad verder te reël; om vir die ontbinding van die Suid-Afrikaanse Raad vir Balju's en die aanstelling van 'n tussentydse Raad voorsiening te maak; om die algemene werksaamhede van die Suid-Afrikaanse Raad vir Balju's verder te reël; om die aanwending van die geld in die Getrouheidsfonds vir Balju's verder te reël; om die ouditering van aantekeninge en finansiële state van die Getrouheidsfonds vir Balju's verder te reël; om onbehoorlike gedrag deur balju's verder te reël; en om die aangeleenthede ten opsigte waarvan regulasies uitgevaardig kan word, uit te brei; en om voorsiening te maak vir aangeleenthede wat daarmee in verband staan.

'n Afskrif van die Wetsontwerp kan op die webtuiste van die Parlementêre Monitoringsgroep by "<http://www.pmg.org.za>" en die webtuiste van die Departement van Justisie en Staatkundige Ontwikkeling by "<http://www.doj.gov.za>" gevind word en kan, na indiening by die Parlement, ook verkry word vanaf:

Staatsdrukkers: Kaapstad en Pretoria
