

MAGISTRATES AMENDMENT ACT 35 OF 1996

[ASSENTED TO 27 JUNE 1996] [DATE OF COMMENCEMENT: 1 OCTOBER 1998]

*(Afrikaans text signed by the President)***ACT**

To amend the Magistrates Act, 1993, in order to further regulate the composition of the Magistrates Commission; to further regulate the suspension of magistrates; to further regulate the establishment of committees; and to provide for matters in connection therewith.

- 1** Amends [section 3](#) of the Magistrates [Act 90 of 1993](#), as follows: paragraph (a) substitutes subsection (1); paragraph (b) substitutes subsection (2); and paragraph (c) substitutes subsection (3).
- 2** Amends the Afrikaans text of [section 4](#) of the Magistrates [Act 90 of 1993](#) by substituting paragraph (c).
- 3** Amends [section 6](#) of the Magistrates [Act 90 of 1993](#), as follows: paragraph (a) substitutes subsection (1); paragraph (b) substitutes subsection (4); and paragraph (c) substitutes subsection (5).
- 4** Inserts sections 6A, 6B and 6C in the Magistrates [Act 90 of 1993](#).
- 5** Substitutes [section 8](#) of the Magistrates [Act 90 of 1993](#).
- 6** Amends section 13 (3) of the Magistrates [Act 90 of 1993](#), as follows: paragraph (a) substitutes paragraph (a); paragraph (b) inserts paragraph (a A); paragraph (c) substitutes paragraph (c); paragraph (d) substitutes paragraph (d); and paragraph (e) substitutes paragraph (e).
- 7** Amends section 16 (1) of the Magistrates [Act 90 of 1993](#) by inserting paragraph (k A).
- 8** Amends the Magistrates [Act 90 of 1993](#), as follows: paragraph (a) substitutes the expression 'chairperson' for the expression 'chairman', wherever it occurs; paragraph (b) substitutes the expression 'vice-chairperson' for the expression 'vice-chairman', wherever it occurs; paragraph (c) substitutes the expression 'he or she' for the expression 'he', wherever it occurs; paragraph (d) substitutes in the Afrikaans text, subject to paragraph (j), the expression 'hy of sy' for the expression 'hy', wherever it occurs; paragraph (e) substitutes the expression 'him or her' for the expression 'him', wherever it occurs; paragraph (f) substitutes in the Afrikaans text, subject to paragraph (j), the expression 'hom of haar' for the expression 'hom', wherever it occurs; paragraph (g) substitutes in sections 12 (1) and (7), 13 (1), (4) and (5), 15, 16 (1) (j) and (4) and 18 (3) the expression 'his or her' for the expression 'his', wherever it occurs; paragraph (h) substitutes in the Afrikaans text of sections 13 (2) and (3) (b) the expression 'sy of haar' for the expression 'sy'; paragraph (i) substitutes in sections 2, 6 (2) and (3) and 7 (1) (a), (c), (e) and (f) the expression 'the Commission' for the expression 'it'; paragraph (j) substitutes in the Afrikaans text of sections 2, 6 (2) and (3) and 7 (1) (a), (c), (e) and (f) the expression 'die Kommissie' for the expressions 'hom' and 'hy'; and paragraph (k) substitutes in section 7 (1) in the words preceding paragraph (a) the expression 'the' for the expression 'its'.

9 Application of Act

(1) This Act shall not affect the validity of anything done by the Magistrates Commission before the commencement thereof.

(2) A vacancy in the Magistrates Commission which arises from the commencement of this Act, shall not affect the validity of anything done by the Magistrates Commission while such vacancy remains unfilled.

10 Short title and commencement

This Act shall be called the Magistrates Amendment Act, 1996, and shall come into operation on a date fixed by the President by proclamation in the *Gazette*.