



**EMBARGO: FOR IMMEDIATE RELEASE**

**MEDIA STATEMENT BY THE SOUTH AFRICAN LAW REFORM COMMISSION  
CONCERNING ITS RELEASE OF DISCUSSION PAPER 128 ON STATUTORY LAW  
REVISION IN RESPECT OF LEGISLATION ADMINISTERED BY THE DEPARTMENT  
OF INTERNATIONAL RELATIONS AND COOPERATION**

The South African Law Reform Commission (SALRC) hereby releases its Discussion Paper 128 on Project 25: Statutory law revision in respect of legislation administered by the Department of International Relations and Cooperation for general information and comment. The Discussion Paper sets out the SALRC's preliminary recommendations for law reform regarding statutes administered by the Department of International Relations and Cooperation.

In January 2003 Cabinet approved that the Minister of Justice and Constitutional Development co-ordinates and mandates the South African Law Reform Commission (SALRC) to review provisions in the legislative framework that may result in discrimination as defined by section 9 of the Constitution. This section prohibits unfair discrimination based on race, gender, sex, pregnancy, marital status, ethnic and social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture, language and birth. In 2004 the SALRC included in its law reform programme an investigation into the revision of the statute book to identify provisions that are redundant, obsolete or which infringe the equality provisions of the Constitution. The focus of the *statutory law revision* project at present is constitutionality of legislation in view of section 9 of the Constitution, and repeal of redundant and obsolete provisions. The methodology adopted in this investigation is to review the statute book by Department – the SALRC identifies a Department, reviews the national legislation administered by that Department for constitutionality and redundancy, sets out the preliminary findings and proposals in a consultation paper and consults with that

Department to verify the SALRC's preliminary findings and proposals. The next step that the SALRC undertakes is the development of a discussion paper in respect of the legislation of each Department, and upon its approval by the SALRC, it is published for general information and comment. Finally, the SALRC develops a report in respect of each Department that reflects the comment on the discussion paper and contains a draft Bill proposing amending legislation.

After having reviewed the 14 statutes (the 11 principal Acts and three amendment Acts) administered by the Department of International Relations and Cooperation, the SALRC proposes in Discussion Paper 128 that:

- (a) The Foreign State Immunities Act 87 of 1981 and the Diplomatic Immunities and Privileges Act 37 of 2001 be amended as set out in the International Relations and Cooperation Laws Repeal and Related Matters Bill for the reasons set out in Chapter 2 of the Discussion Paper and to the extent outlined in the Bill; and
  
- (b) The following five statutes listed in the Schedule to the Bill be repealed:
  - (i) The Treaties of Peace Act 32 of 1921;
  - (ii) The Treaties of Peace Act 20 of 1948;
  - (iii) The Diplomatic Mission in United Kingdom Service Act 38 of 1961;
  - (iv) The Commonwealth Relations (Temporary Provision) Act 41 of 1961; and
  - (v) The Commonwealth Relations Act 69 of 1962.

On 22 October 2011 the SALRC considered and approved the publication of Discussion Paper 128. The SALRC invites comments and suggestions on Discussion Paper 128. The SALRC would appreciate receiving comments from stakeholders by 31 January 2012 at the following address:

The Secretary  
South African Law Reform Commission  
Private Bag X668  
Pretoria  
0001

Tel: (012) 392 9540  
Fax: (012) 323-4406  
E-mail: [pvanwyki@justice.gov.za](mailto:pvanwyki@justice.gov.za)  
Website: [://www.justice.gov.za/salrc/index](http://www.justice.gov.za/salrc/index).

The South African Law Reform Commission was established by the South African Law Reform Commission Act 19 of 1973. It is an advisory body whose aim is the renewal and improvement of the law of South Africa on a continuous basis.

Discussion Paper 128 is available on the Internet at the following site: [://www.justice.gov.za/salrc/dpapers](http://www.justice.gov.za/salrc/dpapers). The discussion paper is also obtainable free of charge from the SALRC upon request (the contact person is Mr Jacob Kabini at (012) 392 9580).

**ISSUED BY THE SECRETARY: SA LAW REFORM COMMISSION**

**DATE: 7 November 2011**

Contact for enquiries in respect of media statement: Mr Pierre van Wyk

Tel: (012) 392 9557 OR 0794909075  
Fax: (012) 323 4406  
E-mail: [pvanwyk@justice.gov.za](mailto:pvanwyk@justice.gov.za)

**EMBARGO: FOR IMMEDIATE RELEASE**