

**EMBARGO: FOR IMMEDIATE RELEASE****MEDIA STATEMENT BY THE SOUTH AFRICAN LAW REFORM COMMISSION CONCERNING ITS RELEASE OF DISCUSSION PAPER 137 ON STATUTORY LAW REVISION IN RESPECT OF LEGISLATION ADMINISTERED BY THE DEPARTMENT OF SCIENCE AND TECHNOLOGY**

The South African Law Reform Commission (SALRC) 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.

The SALRC hereby releases for general information and comment its Discussion Paper 137 on Project 25: Statutory law revision in respect of legislation administered by the Department of Science and Technology (DST). Discussion paper 137 sets out the SALRC's preliminary findings and recommendations in this regard.

In January 2003 Cabinet approved that the then Minister of Justice and Constitutional Development co-ordinates and mandates the SALRC to review provisions in the legislative framework that may result in discrimination as defined by section 9 of the Constitution which 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 program 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 the 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 in terms of section 9 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. Next the SALRC undertakes 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.

The SALRC has identified 11 statutes which are administered by the DST. After careful consideration of all the statutes, the SALRC is of the opinion that no provisions in the statutes contravene section 9 of the Constitution and that the statutes are current. As such all the statutes should be retained.

On 13 June 2015 the SALRC considered and approved the publication of Discussion Paper 137. The SALRC invites comments on Discussion Paper 137 which should reach the SALRC by 14 September 2015 at the following address:

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Discussion Paper 137 will be made available on the Internet at the following site: <http://www.justice.gov.za/salrc/dpapers.htm>. The discussion paper is also obtainable free of charge from the SALRC upon request to Mr Jacob Kabini on telephone 012 662 6327.

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**ISSUED BY MR NELSON MATIBE, THE SECRETARY: SOUTH AFRICAN LAW REFORM COMMISSION, AT CENTURION ON 22 JULY 2015**

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