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**MEDIA STATEMENT BY SOUTH AFRICAN LAW REFORM COMMISSION CONCERNING
RELEASE OF DISCUSSION PAPER 140: STATUTORY LAW REVISION IN RESPECT OF
LEGISLATION ADMINISTERED BY DEPARTMENT OF ARTS AND CULTURE**

The South African Law Reform Commission (SALRC) hereby releases its Discussion Paper 140 on Project 25: Statutory law revision in respect of legislation administered by the Department of Arts and Culture, for general information and comment. Discussion Paper 140 sets out the SALRC's preliminary findings and recommendations for law reform regarding statutes administered by the Department of Arts and Culture.

In January 2003, Cabinet approved that the then Minister of Justice and Constitutional Development (now Minister of Justice and Correctional Services) should co-ordinate and mandate the SALRC to review provisions in the legislative framework that would result in discrimination, as defined by section 9 of the Constitution. This section prohibits unfair discrimination on the basis of race, gender, sex, pregnancy, marital status, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture, language or 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 or obsolete or which infringe the equality provisions of the Constitution. The focus of the statutory law revision project at present is the 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. That is, 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. Once the discussion paper has been approved by the Commission, it is published for general information and comment. Finally, the SALRC develops a report in respect of each Department, which reflects the comments on the discussion paper and contains a draft Bill proposing amending legislation.

The SALRC has identified 24 statutes that are administered by the Department of Arts and Culture. After careful and thorough analysis of these statutes, the SALRC proposes as follows:

- (a) The Acts set out in the Bill be amended for the reasons set out in Chapter 2 of the discussion paper and to the extent outlined in the Bill; and
- (b) the Acts set out in the Schedule to the Bill be repealed.

On 5 December 2015, the SALRC considered and approved the publication of Discussion Paper 140. Respondents are requested to submit their written comments on the discussion paper to the SALRC by **31 March 2016**. Comments can be sent by email, post or fax, with email being preferred, to the following addresses:

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

Fax: 086 507 4771

Email: Loroberts@justice.gov.za

Discussion Paper 140 is available on the internet at <http://www.justice.gov.za/salrc/dpapers.htm>. The discussion paper is also obtainable free of charge from the SALRC on request (contact Mr Jacob Kabini at 012 622 6327).

ISSUED BY THE SECRETARY: SA LAW REFORM COMMISSION

DATE: 27 JANUARY 2016

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