

## RENAMING OF HIGH COURTS ACT 30 OF 2008

[ASSENTED TO 17 NOVEMBER 2008] [DATE OF COMMENCEMENT: 1 MARCH 2009]

*(English text signed by the President)*

### ACT

**To make provision for the renaming of the High Courts of the Republic; and to provide for matters connected therewith.**

#### **Preamble**

WHEREAS item 16 (6) (a) of Schedule 6 to the Constitution of the Republic of South Africa, 1996, provides that as soon as practical after the new Constitution took effect, all courts, including their structure, composition, functioning and jurisdiction, and all relevant legislation, must be rationalised with a view to establishing a judicial system suited to the requirements of the new Constitution;

AND WHEREAS item 16 (4) (a) of Schedule 6 to the Constitution provides that a provincial or local division of the Supreme Court of South Africa or a supreme court of a homeland or a general division of such a court, becomes a High Court under the new Constitution without any alteration in its area of jurisdiction, subject to any rationalisation contemplated in item 16 (6) of Schedule 6 to the Constitution;

AND WHEREAS the rationalisation process envisaged in item 16 (6) of Schedule 6 to the Constitution is a comprehensive and ongoing process and is to be based on a policy framework which is still being finalised in conjunction with all relevant role-players;

AND WHEREAS the enactment and implementation of legislation emanating from this policy framework will require more time before the rationalisation process is brought to its conclusion;

AND WHEREAS it is undesirable to retain and use the names of certain High Courts, some of which still reflect their apartheid origins;

AND WHEREAS there may be uncertainty as to the names of the High Courts, it is necessary to facilitate certainty and uniformity as to the names of all High Courts,

BE IT THEREFORE ENACTED by the Parliament of the Republic of South Africa, as follows:-

#### **1 Change of names of High Courts**

Notwithstanding the provisions of the Supreme Court Act, 1959 ( Act 59 of 1959 ), or any other law, but subject to an Act of Parliament giving effect to the rationalisation contemplated in item 16 (6) (a) of Schedule 6 to the Constitution, the High Courts seated in the places mentioned in the first column of the table hereunder, shall be known by the names set out in the second column of the said table:

**TABLE**

SEAT OF HIGH COURT	NAME OF HIGH COURT
Bhisho	Eastern Cape High Court, Bhisho

Bloemfontein	Free State High Court, Bloemfontein
Cape Town	Western Cape High Court, Cape Town
Durban	KwaZulu-Natal High Court, Durban
Grahamstown	Eastern Cape High Court, Grahamstown
Johannesburg	South Gauteng High Court, Johannesburg
Kimberley	Northern Cape High Court, Kimberley
Mafikeng	North West High Court, Mafikeng
Mthatha	Eastern Cape High Court, Mthatha
Pietermaritzburg	KwaZulu-Natal High Court, Pietermaritzburg
Port Elizabeth	Eastern Cape High Court, Port Elizabeth
Pretoria	North Gauteng High Court, Pretoria
Thohoyandou	Limpopo High Court, Thohoyandou

## 2 Short title and commencement

This Act is called the Renaming of High Courts Act, 2008, and comes into operation on a date fixed by the President by proclamation in the *Gazette* .