

# CAPE BAR COUNCIL

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31 July 2013

**PC ON JUSTICE AND CONSTITUTIONAL DEVELOPMENT**  
Parliament  
Cape Town

For att: Mr V Ramaano

Email: [vramaano@parliament.gov.za](mailto:vramaano@parliament.gov.za)

Dear Sir

**COMMENT ON THE JUDICIAL AMENDMENT BILL [B7-2013]**

Attached please find a report on the abovementioned bill for your urgent attention and appropriate circulation.

Yours faithfully



**JOHN NEWDIGATE SC**  
Chairperson  
Cape Bar Council

***On behalf of the Parliamentary Committee  
of the General Council of the Bar  
of South Africa***

cc: The Chairperson  
General Council of the Bar of SA  
Email: [gcb@mweb.co.za](mailto:gcb@mweb.co.za)

## MEMORANDUM

**TO:** NATIONAL ASSEMBLY

**FROM:** ADV. JOHN NEWDIGATE SC,  
CHAIRPERSON OF PARLIAMENTARY COMMITTEE  
OF GENERAL COUNCIL OF THE BAR OF SOUTH  
AFRICA

**IN RE:** JUDICIAL MATTERS AMENDMENT BILL [B7-2013]

**DATE:** 24 July 2013

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### INTRODUCTION

The Parliamentary Committee of the General Council of the Bar of South Africa has reviewed the Judicial Matters Amendment Bill [B7-2013], and suggest the following:

1. Ad clause 6(a)

In the first line, after the word “sentences”, we suggest the insertion of the word “[on]” to indicate its omission from the current text of the statute.

2. Ad clause 8(a)

We suggest the insertion of the words “in writing” after the word “applicant”.

3. **Ad clause 8(b)**

In the last line, we suggest the deletion of the word “be”, and that it be replaced with the word “remain”.

4. **Ad clause 8(c)**

We suggest the insertion of the words “in writing” after the word “applicant”.

5. **Ad clause 8(d)**

We again suggest the insertion of the words “in writing” after the word “Service”.

6. **Ad clause 45(a)**

We suggest the insertion of the words “in writing” after the word “applicant”.

7. **Ad clause 45(b)**

We suggest that in the last line, the word “be” be deleted, and replaced with the word “remain”.

8. **Ad clause 45(c)**

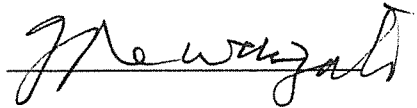
We suggest the insertion of the words “in writing” after the word “applicant”.

9. **Ad clause 45(d)**

We suggest the insertion of the words “in writing” after the word “Service”.

10. Save as aforesaid, we make no adverse comment on any of the provisions, as they might affect the legal profession or the administration of justice or fundamental constitutional rights.

**JOHN NEWDIGATE SC**

A handwritten signature in black ink, appearing to read 'Newdigate', written over a horizontal line.

Chairperson,

Parliamentary Committee of the General Bar Council of South Africa