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OFFICE OF THE SPEAKER

FINAL VOTING MANDATE

TO: The Chairperson of the National Council of Provinces.

Hon M J Mahlangu

NAME OF BILL: Judicial Matters Third Amendment Bill

NUMBER OF BILL: [B53-2013]

DATE OF DELIBERATION: 04 March 2014

VOTE OF THE LEGISLATURE:

The Gauteng Provincial Legislature supports the principle and detail of the bill and therefore votes in favour of-

- Judicial Matters Third Amendment Bill

LINDIWE MASEKO

SPEAKER

GAUTENG PROVINCIAL LEGISLATURE

Date: 04/03/2014



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STANDING COMMITTEE ON RULES

FINAL VOTING MANDATE ON THE JUDICIAL MATTERS THIRD AMENDMENT BILL

[B53 – 2013]

(Section 76)

1. INTRODUCTION

The Chairperson of the Standing Committee on Rules (“the Committee”), Hon. L Maseko, tables the Committee’s Final Mandate on the Judicial Matters Third Amendment Bill [B53-2013], a Section 76 Bill in terms of the Constitution of the Republic of South Africa, 1996 (“the Constitution”) as follows:

2. PROCESS FOLLOWED

The Deputy Speaker formally referred the Judicial Matters Third Amendment Bill [B53-2013], a Section 76 Bill to the Committee on Thursday, 14th November 2013 for consideration and reporting in terms of Gauteng Provincial Legislature Standing Rules 248 and 250.

The Committee deliberated on the Bill and subsequently adopted the Final Voting Mandate on the Judicial Matters Third Amendment Bill [B53-2013] in a meeting that convened on Tuesday, 04 March 2014

3. PRINCIPLE AND OBJECTIVES OF THE BILL

The Judicial Matters Third Amendment Bill [B53-2013] seeks to amend:

- The Attorneys Act, 1979, so as to further regulate the powers of the board of control of the Attorneys Fidelity Fund;
- The Child Justice Act, 2008, so as to further regulate the evaluation of the criminal capacity of a child; to provide for the delegation of certain powers and assignment of certain duties by the Cabinet member responsible for social development in respect of the accreditation of diversion programmes and diversion service providers; to repeal provisions that make the Criminal Law Amendment Act, 1997, applicable to persons under the age of 18 years.

4. FINANCIAL IMPLICATIONS OF THE JUDICIAL MATTERS THIRD AMENDMENT BILL [B53-2013]

There are no financial implications foreseen in the implementation of the Bill.

5. FINAL POSITION ADOPTED BY COMMITTEE

In terms of Section 65 of the Constitution, the Rules Standing Committee confers authority on the Gauteng Delegate to **vote in favour** of the Judicial Matters Third Amendment Bill [B53-2013].



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FINAL VOTING MANDATE

TO: The Chairperson of the National Council of Provinces.

Hon M J Mahlangu

NAME OF BILL: Legal Practice Bill

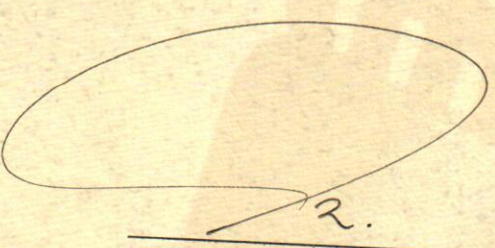
NUMBER OF BILL: [B20B-2012]

DATE OF DELIBERATION: 04 March 2014

VOTE OF THE LEGISLATURE:

The Gauteng Provincial Legislature supports the principle and detail of the bill and therefore votes in favour of-

- Legal Practice Bill



LINDIWE MASEKO

SPEAKER

GAUTENG PROVINCIAL LEGISLATURE

Date: 04/03/2014



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STANDING COMMITTEE ON RULES

FINAL VOTING MANDATE ON THE LEGAL PRACTICE BILL [B20B – 2012]

(Section 76)

1. INTRODUCTION

The Chairperson of the Standing Committee on Rules (“the Committee”), Hon. L Maseko, tables the Committee’s Final Mandate on the Legal Practice Bill [B20-2012], a Section 76 Bill in terms of the Constitution of the Republic of South Africa, 1996 (“the Constitution”) as follows:

2. PROCESS FOLLOWED

The Deputy Speaker formally referred the Legal Practice Bill [B20B-2012], a Section 76 Bill to the Committee on Thursday, 14th November 2013 for consideration and reporting in terms of Gauteng Provincial Legislature Standing Rules 248 and 250.

The Committee deliberated on the Bill and subsequently adopted the Final Voting Mandate on the Legal Practice Bill [B20B-2012] in a meeting that convened on Tuesday, 04 March 2014

3. PRINCIPLE AND OBJECTS OF THE BILL

The Legal Practice Bill [B20B-2012] seeks to:

- Provide a legislative framework for the transformation and restructuring of the legal profession that embraces the values underpinning the Constitutional and ensures that the rule of law is upheld;
- Broaden access to justice by putting in place a mechanism to determine fees chargeable by legal practitioners for legal services rendered that are within the reach of the citizenry, by putting in place measures to provide for the rendering of community service by candidate legal practitioners and practicing legal practitioners, by putting in place measures that provide equal opportunities for all aspirant legal practitioners in order to have a legal profession that broadly reflects the diversity and demographics of the Republic;
- Create a single unified statutory body, the South African Legal Practice Council, in order to regulate the affairs of all legal practitioners and all candidate legal practitioners in pursuit of the goal of an accountable, efficient and independent legal profession;
- Protect and promote the public interest; and
- Protect and promote the interest of consumers of legal services by the establishment of an Office of the Legal Services Ombud.

4. FINANCIAL IMPLICATIONS

The Legal Profession will be responsible for the costs arising out of the implementation of the Bill, with the exception of the implementation of Chapter 5 dealing with the establishment of an Office of Legal Services Ombud. The implementation of this Chapter will have financial implications for the State when funds become available

The National Forum will be funded mainly from monies defrayed from the budget vote of the Department.

5. FINAL POSITION ADOPTED BY COMMITTEE

In terms of Section 65 of Constitution, the Rules Standing Committee confers authority on the Gauteng Delegate to **vote in favour** of the Legal Practice Bill [B20B-2012].