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**Draft Report of the Select Committee on Security and Justice on Government Notice No R. 1692 published in Government Gazette No 42916 dated 20 December 2019: Regulations for Judicial Officers in the Lower Courts, 1993: Amendment, made under section 16 of the Magistrates Act, 1993 (Act No 90 of 1993), dated 11 June 2020.**

The Select Committee on Security and Justice, considered the Regulations for Judicial Officers in the Lower Courts, 1993: Amendment, made under section 16 of the Magistrates Act, 1993 (Act No 90 of 1993) and reports as follows:

1. The Government Notice No R. 1692 published in Government Gazette No 42916 dated 20 December 2019: Regulations for Judicial Officers in the Lower Courts, 1993: Amendment, made under section 16 of the Magistrates Act, 1993 (Act No 90 of 1993) (the Regulations) was referred to the Select Committee for consideration and report on 25 February 2020.
2. The Select Committee received a briefing on the Regulations by the Department of Justice and Constitutional Development on 11 June 2020.
3. The Regulations came into effect on 1 January 2020.
4. The Regulations prescribe the dispensation of leave for all associated leave types with the intention to further de-link the magistrates from the Public Service prescripts to allow greater independence to the Lower Court Judiciary.

**Legal basis for consideration of the Regulations**

Section 16(2)(A) of the Magistrates Act, 1993 provides that a “[R]egulation made under this section shall be in force unless and until Parliament…by resolution disapproves the regulation, in which event the regulation shall lapse with effect from a date to be specified in the resolution”.

**Recommendation**

The Select Committee on Security and Justice, having considered the Government Notice No R. 1692 published in Government Gazette No 42916 dated 20 December 2019: Regulations for Judicial Officers in the Lower Courts, 1993: Amendment, made under section 16 of the Magistrates Act, 1993 (Act No 90 of 1993), resolved not to disapprove the regulation.

**Report to be considered.**