

**INVITATION TO COMMENT ON AMENDMENT OF THE LEGAL AID SOUTH AFRICA
REGULATIONS
MADE IN TERMS OF THE LEGAL AID SOUTH AFRICA ACT, 2014**

1. The Department of Justice and Constitutional Development invites interested parties to submit written comments on the Draft Amendment Regulations under the Legal Aid South Africa Act, 2014 (Act No. 39 of 2014).
2. The Regulations are made by the Minister under section 23(1) of the Legal Aid South Africa Act, 2014 (Act No. 39 of 2014), as set out in the attached Draft Amendment Regulations.
3. Any person wishing to comment is invited to submit written comments on or before 31/01/2024. Comments should be marked for the attention of **Adv. T Nkabinde**:
 - (a) If they are forwarded by post, be addressed to—

**The Department of Justice and Constitutional Development,
Private Bag X81, PRETORIA, 0001;**
 - (b) if delivered by hand, be delivered at—

**The Department of Justice and Constitutional Development,
SALU Building, 316 Thabo Sehume Street, PRETORIA;** or
 - (c) if they are delivered by E-mail, they can be sent to: **Bills2@justice.gov.za**.



GOVERNMENT NOTICE

DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT

No. R.

2023

**LEGAL AID SOUTH AFRICA ACT, 2014
AMENDMENT OF LEGAL AID OF SOUTH AFRICA REGULATIONS**

The Minister of Justice and Correctional Services has, under section 23(1) of the Legal Aid South Africa Act, 2014 (Act No. 39 of 2014), after receipt of recommendations of the Board of Directors of Legal Aid South Africa, made the regulations in the Schedule.

MINISTER OF JUSTICE AND CORRECTIONAL SERVICES

DATE

SCHEDULE

Definitions

1. In this Schedule, "the Regulations" means the regulations published under Government Notice No. R. 745 of 26 July 2017, as amended by Government Notices No. R. 498 of 29 March 2019 and No. R680 of 6 August 2021.

Amendment of regulation 18 of the Regulations

2. Regulation 18 of the Regulations is hereby amended by the substitution for subregulation (1) of the following subregulation:

"(1) Legal aid may be granted to persons affected by the Land Reform (Labour Tenants) Act, 1996 (Act No. 3 of 1996), the Extension of Security of Tenure Act, 1997 (Act No. 62 of 1997) and the Prevention of Illegal Eviction from and Unlawful Occupation of Land Act, 1998 (Act No. 19 of 1998): Provided that the granting of legal aid in terms of this regulation is subject to the making available of funds by the relevant government department."

Amendment of regulation 35 of the Regulations

3. Regulation 35 of the Regulations is hereby amended by the substitution for subregulation (2) of the following subregulation:

"(2) In a case contemplated in subregulation (1) legal aid may be granted to a legal entity acting on behalf of a large number of natural persons or in the furtherance of public interest in accordance with sections 25 and 38 of the Constitution."