**NATIONAL ASSEMBLY**

**QUESTION FOR WRITTEN REPLY**

**PARLIAMENTARY QUESTION NO: 1734**

**DATE OF QUESTION: 01 JUNE 2018**

**DATE OF SUBMISSION: 08 JUNE 2018**

**Adv A de W Alberts (FF Plus) to ask the Minister of Justice and Correctional Services:**

1. Whether Judge (Details furnished) of the Gauteng North High Court is still a serving judge in any capacity; if so, (a) where is the judge serving currently and (b) what are the dates of the judge’s period of service; if not, why not;
2. what is the reason for Judge (Details furnished) retirement;
3. whether Judge (details furnished) retirement had a bearing on illness; if so, (a) what was the nature of the illness, (b) when was the illness diagnosed and (c) when is the illness deemed to have developed;
4. Has he found that Judge (details furnished) illness had an effect on the work and court judgments of the judge; how? **NW1886E**

**Reply**

1. No, the stated Judge is no longer serving as a Judge of the Gauteng Division of the High Court.
2. The Judge was discharged from active service in August 2015 in terms of section 3(2)(a) of the Judges’ Remuneration and Conditions of Employment Act, 2001 (Act No 47 of 2001) after completing 15 years and having attained the age of 70 on 11 February 2015.
3. The Judge was not well at the time of his retirement but his discharge from active service was due to the attainment of the retirement age of 70 years and completion of 15 years active service as prescribed in section 3 and 4 of the Judges’ Remuneration and Conditions of Employment Act, 2001.

The questions relating to (b) and (c) can only be answered by the Judge medical practitioner.

1. In view of the fact that the judicial authority is vested in the courts that are independent, I would suggest that the Honourable Member approach the Chief Justice regarding the work and judgments of the judge.