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**MINISTRY: JUSTICE AND CORRECTIONAL SERVICES**

**REPUBLIC OF SOUTH AFRICA**

**NATIONAL ASSEMBLY**

**QUESTION FOR WRITTEN REPLY**

**PARLIAMENTARY QUESTION NO: 3335**

**DATE OF QUESTION: 23 SEPTEMBER 2022**

**DATE OF SUBMISSION: 07 OCTOBER 2022**

**Adv G Breytenbach (DA) to ask the Minister of Justice and Correctional Services:**

1. Whether he will furnish Adv G Breytenbach with a full list of all Traditional Courts that are currently recognised in the Republic; if not, why not; if so, on what date;
2. (a) where is each Traditional Court located and (b) who has presided over each specified court since 1 January 2018;
3. What are the details of the record-keeping processes in each court;
4. Whether the records are publicly accessible; if not, why not; if so, where?

**NW4140E**

**REPLY:**

I wish to inform the Honourable Member that the information requested at present, does not fall within the mandate and scope of the Department of Justice and Constitutional Development.

Currently, the information required in sub-questions (1) to (4) may be obtained from the Minister of Co-operative Governance and Traditional Affairs.

As the Honourable Member is aware the Traditional Courts Bill, was passed by Parliament and referred to the President for assent and signature into an Act of Parliament.

Until the Bill is passed into law, there is no specific legislation that required the Traditional Courts, for instance, to keep records as is now provided for in the Traditional Courts Bill.

However, the matter is relevant for preparation on the implementation of the Act once assented to and signed into an Act of Parliament.

The Department is in a process of conducting an audit of what needs to be in place for the Bill to be implemented, and will consult with the Department of Co-operative Governance and Traditional Affairs as well as with the nine (9) Provincial Heads of the Department of Justice and Constitutional Development.