

## MEMORANDUM ON THE OBJECTS

1. On page 3, to omit paragraph 2.4 and to substitute:

2.4 Clause 1 of the Bill therefore seeks to amend—

(a) section 316(10) of the Criminal Procedure Act, in order to make it unnecessary in petition procedures before the Supreme Court of Appeal to place the entire record of proceedings in the High Court in respect of which the application was refused, by limiting this requirement to where—

(i) the accused was not legally represented at the trial; or

(ii) the accused is not legally represented for purposes of the petition; or

(iii) the prospective appeal is not against sentence only ; or

(iv) the judges considering the petition, in the interest of justice, request the record or a portion of the record.

(b) section 316(12) of the Criminal Procedure Act, in order to give the judges considering the petition a discretion to call for the submission of the record of the proceedings if it was not submitted in terms of section 316(10)(c).