

No. R. 393

11 April 2008

**CRIMINAL PROCEDURE ACT, 1977**  
**TARIFF PAYABLE TO A PSYCHIATRIST OR CLINICAL PSYCHOLOGIST FOR AN**  
**ENQUIRY INTO THE MENTAL CONDITION OF AN ACCUSED**

The Minister for Justice and Constitutional Development has, in consultation with the Minister of Finance, for the purposes of section 79(11) of the Criminal Procedure Act, 1977 (Act No. 51 of 1977), determined the tariff in the Schedule.

**SCHEDULE**

1. In this Schedule any word or expression to which a meaning has been assigned in the Act shall bear the meaning so assigned to it and unless the context otherwise indicates-  
"the Act" the Criminal Procedure Act, 1977 (Act No. 51 of 1977);  
"court manager" means the person in control of the administration of a magistrate's office; and  
"registrar" includes an assistant registrar.

**Transport and travelling expenses**

2.(1) A psychiatrist or clinical psychologist may, subject to subregulation (2), make use of public or private transport and is entitled to the following allowances:

(a) In the case of private transport -

- (i) 92c per kilometre in the case of a motorcycle; or
- (ii) R1,30 per kilometre in the case of a motor vehicle, calculated along the shortest route; or

(b) in the case of public transport, an amount equal to the fare for the least expensive transport along the shortest route.

(2) A psychiatrist or clinical psychologist may only use air transport at State expense if the court manager or registrar-

- (a) is satisfied that the use thereof is warranted; and
- (b) has approved that the psychiatrist or clinical psychologist may make use of air transport.

(3) On satisfactory proof having been produced, a psychiatrist or clinical psychologist is entitled to be reimbursed for his or her reasonable actual expenses incurred in respect of parking and toll fees.

**Remuneration**

3.(1) A clinical psychologist who is designated or appointed by, or at the request of the court in terms of section 79(1) of the Act to enquire into the mental condition of an accused and who is not in the full-time service of the State, shall be compensated for his or her services in connection with such enquiry from public funds at a rate of R420,00 per hour or part of an hour for an assessment and preparation of a report: Provided that prior authorisation for assessments longer than eight hours must be obtained from the Director-General or a person designated by him or her.

(2) A psychiatrist who is designated or appointed by, or at the request of the court in terms of section 79(1) of the Act to enquire into the mental condition of an accused and who is not in the full-time service of the State, shall be compensated for his or her services in connection with such enquiry from public funds at a rate of R550,00 per hour or part of an hour for an assessment and preparation of a report: Provided that prior authorisation for assessments longer than eight hours must be obtained from the Director-General or a person designated by him or her.

4. The decision of a court manager or a registrar of a High Court in respect of the amounts payable in terms of this tariff shall be final.

5. Government Notice No. R. 215 of 28 February 2002 is repealed.