

REPUBLIC OF SOUTH AFRICA

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**PORTFOLIO COMMITTEE AMENDMENTS  
TO  
JUDICIAL MATTERS  
AMENDMENT BILL**

**[B 11—2012]**

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*(As agreed to by the Portfolio Committee on Justice and Constitutional  
Development (National Assembly))*

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**[B 11A—2012]**

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CLAUSE 4

1. On page 3, after line 38, to insert:
  - (b) by the insertion after subsection (1) of the following subsection:
 

“(1A) (a) A State institution which is unable to pay the fees, expenses or legal costs or any part thereof, charged or to be recovered in terms of subsection (1)(b) for a specific financial year or any part thereof, may apply to the National Treasury or, when applicable, the relevant provincial treasury as contemplated in the Public Finance Management Act, 1999 (Act No. 1 of 1999), to be exempted from the payment of such fees, expenses or legal costs or any part thereof.

(b) The National Treasury or relevant provincial treasury, which receives an application in terms of paragraph (a) must, after consultation with the Head of the Special Investigating Unit and after considering the financial position of the State institution—

    - (i) make a finding regarding the ability of the State institution to pay the fees, expenses or legal costs or any part thereof charged or to be recovered in terms of subsection (1)(b) for a specific financial year or any part thereof; and
    - (ii) inform the Head of the Special Investigating Unit and the State institution concerned of the outcome of the application.

(c) A State institution which applies for an exemption in terms of paragraph (a), is liable to pay the fees, expenses or legal costs as provided for in terms of subsection (1)(b) to the extent determined by the National Treasury or relevant provincial treasury in terms of paragraph (b)(i).”;
2. On page 3, in line 39, to omit “(b)” and to substitute “(c)”.
3. On page 3, in line 46, to omit “(c)” and to substitute “(d)”.
4. On page 3, in line 54, to omit “(d)” and to substitute “(e)”.

CLAUSE 10

1. On page 6, in line 10, after “Financial”, to insert “investigators or”.
2. On page 6, in line 25, to omit “investigator or”.