
REPUBLIC OF SOUTH AFRICA

**PORTFOLIO COMMITTEE AMENDMENTS
TO
PROBATION SERVICES
AMENDMENT BILL**

[B 18B—2002]

*(As agreed to by the Portfolio Committee on Social Development
(National Assembly))*

[B 18C—2002]

REPUBLIEK VAN SUID-AFRIKA

**PORTEFEULJEKOMITEE-AMENDEMENTE
OP
WYSIGINGSWETSONTWERP
OP PROEFDIENSTE**

[W 18B—2002]

*(Soos goedgekeur deur die Portefeuljekomitee oor Maatskaplike Ontwikkeling
(Nasionale Vergadering))*

[W 18C—2002]

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AMENDMENTS AGREED TO
PROBATION SERVICES AMENDMENT BILL
[B 18B—2002]

CLAUSE 1

1. On page 2, in line 13, to omit “2” and to substitute “4A”.
2. On page 4, from line 12, to omit the definition of “house arrest” and to substitute:

“ ‘home-based supervision’ means supervision under certain conditions where an arrested, accused, convicted or sentenced child in the care of his or her parents or guardian or in the custody of any other person, is monitored by an assistant probation officer;” ; and
3. On page 4, after line 19, to add:

(e) by the substitution for the definition of “supervision” of the following definition:
 “ ‘supervision’ means supervision of [a] an accused, convicted or sentenced person by a probation officer [**by virtue**] in terms of the provisions of any law;”.

CLAUSE 3

1. On page 4, in line 48, to omit paragraph (l).

CLAUSE 4

Clause rejected.

NEW CLAUSE

1. That the following be a new Clause:

Insertion of sections 4A and 4B in Act 116 of 1991

4. The following sections are hereby inserted in the principal Act after section 4:

“Appointment and duties of assistant probation officers

4A. (1) The Minister may appoint as many suitable persons as he or she may deem necessary as assistant probation officers to perform the duties imposed by or under this Act or any other law on an assistant probation officer.

- (2) The duties of an assistant probation officer shall include—
- (a) the monitoring of a child subject to home-based supervision;
 - (b) the monitoring of persons subject to supervision;
 - (c) family finding;

- (d) the gathering of information for assessment by the probation officer; and
- (e) assisting a probation officer with his or her duties.

Assessment of arrested child

4B. Any arrested child who has not been released shall be assessed by a probation officer as soon as reasonably possible, but before his or her first appearance in court in terms of section 50(1)(c) of the Criminal Procedure Act, 1977 (Act No. 51 of 1977): Provided that if the child has not yet been assessed when brought before the court, the court may authorise the extension of the period within which the assessment must take place by periods not exceeding seven days at a time following his or her first court appearance.".