

REPUBLIC OF SOUTH AFRICA

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**PORTFOLIO COMMITTEE AMENDMENTS  
TO**

**REINSTATEMENT OF  
ENROLMENT OF CERTAIN  
LEGAL PRACTITIONERS BILL**

**[B 6—2002]**

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

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**[B 6A—2002]**

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**REINSTATEMENT OF ENROLMENT OF CERTAIN LEGAL  
PRACTITIONERS BILL**  
**[B 6—2002]**

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**PREAMBLE**

1. On page 2, to omit the first two lines and to substitute:

**WHEREAS** it is appropriate to honour the memory of those legal practitioners who made a contribution to the opposition to the previous political dispensation of apartheid, or who assisted persons who were so opposed, and who were struck off the roll on account of such opposition or assistance;

**AND IN ORDER TO** redress the injustices of the past by restoring the professional status of those legal practitioners who were so removed during the apartheid dispensation,

**CLAUSE 1**

1. On page 2, in line 6, after “to” to insert “27 April”.
2. On page 2, in line 7, to omit all the words from “upon” up to and including “person” in line 14 and to substitute:

upon application brought by a member of such deceased person’s family or, after consultation with the deceased person’s family, by—

- (a) the General Council of the Bar of South Africa;
- (b) the Bar Council concerned;
- (c) the Society of Advocates concerned;
- (d) the Law Society of South Africa;
- (e) the law society concerned; or
- (f) any other interested person,

3. On page 2, in lines 17 and 18, to omit “commitment to resisting the apartheid regime” and to substitute:

opposition to the previous political dispensation of apartheid

4. On page 2, in line 18, to omit “change in the Republic” and to substitute:

or constitutional change in the Republic, or to assisting persons who were likewise opposed to the said apartheid dispensation

5. On page 2, in lines 23 and 24, to omit “cause the particulars of the order to be entered on the roll of advocates” and to substitute:

enter a reference to that order opposite the name of the person in question

6. On page 2, in lines 25 and 26, to omit “restore the name of the person to the roll of attorneys” and to substitute:

enter a reference to that order opposite the name of the person in question in the registers kept by him or her for that purpose and

forward certified copies of that order to the registrars of the other High Courts and the registrars of deeds appointed in terms of the Deeds Registries Act, 1937 (Act No. 47 of 1937), who, in turn, must enter a reference to that order opposite the name of the person in question in the registers kept by them for that purpose

#### NEW CLAUSE

1. That the following be a New Clause:

##### **Names of reinstated persons to be submitted to Parliament**

2. The Cabinet member responsible for the administration of justice must cause the name of any person who was reinstated to the roll of advocates or attorneys in terms of section 1 to be submitted to Parliament.

#### CLAUSE 2

1. On page 2, in line 28, after "Certain" to insert "Deceased".

#### LONG TITLE

1. On page 2, in the first line, after the second "of" to insert "**certain deceased**".
2. On page 2, in the second line, after the second "**the**" to insert "**previous**".
3. On page 2, in the third line, to omit "**and who have since passed away**" and to substitute:

**or their assistance to persons who were opposed to the said apartheid dispensation**