

REPUBLIC OF SOUTH AFRICA

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**PORTFOLIO COMMITTEE AMENDMENTS  
TO  
ATTORNEYS  
AMENDMENT BILL**

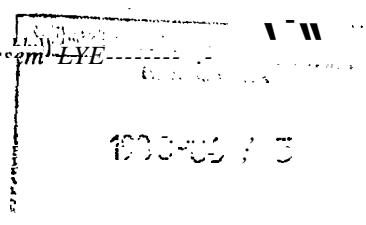
[B 7—98]

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

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[B 7A—98]



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REPUBLIEK VAN SUID-AFRIKA

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**PORTEFEULJEKOMITEE-AMENDEMENTE  
OP  
WYSIGINGSWETSONTWERP  
OP PROKUREURS**

[w 7—98]

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*(Soos goedgekeur deur die Portefeuljekomitee oor Justisie (Nasionale Vergadering))*

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[W 7A—98]

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## AMENDMENTS AGREED TO

### ATTORNEYS AMENDMENT BILL

[B 7-98]

#### CLAUSE 1

1. On page 4, from line 17, to omit “in so far as such investment is governed by any other law”.
2. On page 4, after line 18, to insert the following subsections:

(7) A practitioner who has been instructed to **invest** money as contemplated in subsection (4) shall, as soon as practicable after he or she has received such instruction but prior to the receipt of the money to be invested, notify the person giving the instruction of the provisions of subsection (1)(g) in the form and manner prescribed by the board of control in terms of subsection (8).

(8) For the purposes of subsection (7), the board of control shall issue directives prescribing the form and manner in which a notice referred to in that subsection shall be given and may from time to time review and, if necessary, revise such directives.

(9) Pending the issue of the directives contemplated in subsection (8), a notice referred to in subsection (7) shall—

- (a) **be drawn up by the practitioner;**
- (b) **be signed by both the practitioner and the person giving the instruction; and**
- (c) contain a written acknowledgment by such person to the **effect** that he or ~~she~~—

(i) has been informed by the practitioner concerned of the provisions of subsection (1)(g) and that he or she understands the effect ~~thereof~~; and

(ii) admits that the fund shall not be liable in respect of any loss suffered by him or her as a result of theft of such money.

(10) Any practitioner who contravenes subsection (7) shall **be guilty of an offence** and on conviction be liable to a fine or to **imprisonment** for a period not exceeding two years.

#### CLAUSE 3

1. On page 4, in line 48, to omit “5(l)” and to substitute “6(l)”.
2. On page 4, in line 51, to omit “and”.

#### NEW CLAUSE

1. That the following be a new Clause to follow Clause 3:

#### **Amendment of section 62 of Act 53 of 1979**

**4.** Section **62** of the principal Act is hereby amended by the addition in subsection (2) of the following paragraph, the existing subsection becoming paragraph (a):

“(b) Any vacancy occurring in any council as a result of the increase in the number of members of such a council, may be filled by a person appointed by that council from the members of the society concerned and such a person shall hold office until the completion of the next election of members of the council held subsequent to the appointment of the person concerned.”.

#### LONG TITLE

1. On page 2, in the fourth line, after “Venda;” to insert:

to further regulate the filling of a vacancy on the council of a society;