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STATE PRESIDENT'S OFFICE

KANTOOR VAN DIE STAATSPRESIDENT

No. 427.

15 March 1989

No. 427.

15 Maart 1989

It is hereby notified that the acting State President has assented to the following Act which is hereby published for general information:—

Hierby word bekend gemaak dat die waarnemende Staatspresident sy goedkeuring geheg het aan die onderstaande Wet wat hierby ter algemene inligting gepubliseer word:—

No. 8 of 1989: Criminal Procedure Amendment Act, 1989.

No. 8 van 1989: Strafproseswysigingswet, 1989.

Act No. 8, 1989

CRIMINAL PROCEDURE AMENDMENT ACT, 1989

GENERAL EXPLANATORY NOTE:

Words underlined with solid line indicate insertions in existing enactments.

ACT

To amend the Criminal Procedure Act, 1977, so as to provide for the entering into of international agreements with states regarding the putting into operation of suspended sentences; and to provide for matters connected therewith.

*(Afrikaans text signed by the acting State President.)
(Assented to 1 March 1989.)*

BE IT ENACTED by the State President and the Parliament of the Republic of South Africa, as follows:—

Insertion of section 297A in Act 51 of 1977

1. The following section is hereby inserted in the Criminal Procedure Act, 1977, after section 297:

“Agreement on operation of suspended sentences

297A. (1) The State President may, on such conditions as he may deem necessary, enter into an international agreement with any state, so as to provide, on a reciprocal basis, for the putting into operation of suspended sentences in respect of persons convicted, within the jurisdiction of the Republic or of such state, of an offence mentioned in the agreement.

(2) The State President may, if the parties agree, amend such an agreement to the extent which he deems necessary.

(3) If an application is made for a suspended sentence, imposed by a court of a state referred to in subsection (1), to be put into operation, the court at which the application is made shall, subject to the terms of the agreement, proceed with that application as if the suspended sentence was imposed by a court in the Republic.

(4) (a) An agreement referred to in subsection (1), or any amendment thereof, shall only be in force after it has been published by the State President by proclamation in the *Gazette*.

(b) The State President may at any time and in like manner withdraw any such agreement.”

Short title and commencement

2. This Act shall be called the Criminal Procedure Amendment Act, 1989, and shall come into operation on a date to be fixed by the State President by proclamation in the *Gazette*.