

DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT**NOTICE 230 OF 2016****PUBLICATION OF EXPLANATORY SUMMARY OF THE COURTS OF LAW
AMENDMENT BILL, 2016**

1. Notice is hereby given in terms of Rule 241(1)(b) of the Rules of the National Assembly that the Minister of Justice and Correctional Services intends to introduce the Courts of Law Amendment Bill, 2016, in the National Assembly shortly.
2. The explanatory summary of the Bill is hereby published in accordance with Rule 241(1)(c) of the Rules of the National Assembly.
3. The Bill intends to amend the Magistrates' Courts Act, 1944 (Act No. 32 of 1944) so as to –
 - (a) insert a definition;
 - (b) regulate the rescission of judgments where the judgment debt has been settled;
 - (c) further regulate jurisdiction by consent of parties;
 - (d) further regulate the payment of debts in instalments or otherwise;
 - (e) further regulate consent to judgments and orders for the payment of judgment debts in instalments;
 - (f) further regulate offers by judgment debtors after judgment;
 - (g) further regulate the issuing of emoluments attachment orders;
 - (h) further regulate debt collection proceedings pursuant to judgments granted by a court for a regional division;
 - (i) further regulate the suspension of execution pursuant to payment of periodical instalments or consent to garnishee order;
 - (j) further regulate the abandonment of judgments;
 - (k) provide for certain offences and penalties relating to judgments, emoluments attachment orders and instalment orders;
 - (l) provide for transitional provisions; and
 - (m) provide for matters connected therewith.
4. The Bill also intends to amend the Superior Courts Act, 2013 (Act No. 10 of 2013) so as to provide for the rescission of judgments by consent and the rescission of judgments where the judgment debt has been settled and to provide for matters connected therewith.
5. A copy of the Bill can be found on the websites of the Parliamentary Monitoring Group at <http://www.pmg.org.za> and the Department of Justice and Constitutional Development at www.justice.gov.za and, after introduction, may also be obtained from the Government Printers: Cape Town (Telephone number: (021) 465-7531).