

REPUBLIC OF SOUTH AFRICA

**PORTFOLIO COMMITTEE AMENDMENTS
TO
CRIMINAL PROCEDURE
AMENDMENT BILL**

[B 2—2017]

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

[B 2A—2017]

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AMENDMENTS AGREED TO

CRIMINAL PROCEDURE AMENDMENT BILL

[B 2—2017]

LONG TITLE

1. On page 2, in the fifth line, to omit “mental defect”, and to insert “intellectual disability”.

CLAUSE 1

1. On page 3, in line 8, to omit “or”.
2. On page 3, in line 14, to omit “him”, and to insert “himself”.
3. On page 3, in lines 14 and 15, to omit—
“or to any property belonging to him or her or any other person”.
4. On page 3, in line 21, to omit “or”.
5. On page 3, after line 23, to insert—
“(ee) referred to a Children’s Court as contemplated in section 64 of the Child Justice Act, 2008 (Act No. 75 of 2008), and pending such referral be placed in the care of a parent, guardian or other appropriate adult or, failing that, placed in temporary safe care as defined in section 1 of the Children’s Act, 2005 (Act No. 38 of 2005); or”
6. On page 3, in line 32, to omit “or”.
7. On page 3, in line 33, after the word “unconditionally” to omit—
“where the court has found that the accused has not committed any offence,”.
8. On page 3, in line 33, after the comma, to insert “or”.
9. On page 3, after line 34, to insert—
“(dd) referred to a Children’s Court as contemplated in section 64 of the Child Justice Act, 2008, and pending such referral be placed in the care of a parent, guardian or other appropriate adult or, failing that, placed in temporary safe care as defined in section 1 of the Children’s Act, 2005;”

CLAUSE 2

1. On page 4, in lines 38 and 39, to omit—
“or to any property belonging to him or her or to any other person”.
2. On page 4, in line 49, to omit “or”, and to insert “[**or**]”.
3. On page 4, in line 50, after “unconditionally;”, to insert “or”

4. On page 4, after line 50, to insert—

“(ff) referred to a Children’s Court as contemplated in section 64 of the Child Justice Act, 2008, and pending such referral be placed in the care of a parent, guardian or other appropriate adult or, failing that, placed in temporary safe care as defined in section 1 of the Children’s Act, 2005; or”
5. On page 4, in line 59, to omit “or”, and to insert “[or]”.
6. On page 4, in line 60, to omit all the words, and to insert—

“(dd) **[be]** released unconditionally; or
(ee) referred to a Children’s Court as contemplated in section 64 of the Child Justice Act, 2008, and pending such referral be placed in the care of a parent, guardian or other appropriate adult or, failing that, placed in temporary safe care as defined in section 1 of the Children’s Act, 2005.”; and”

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