

REPUBLIC OF SOUTH AFRICA

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**SELECT COMMITTEE AMENDMENTS  
TO  
MENTAL HEALTH CARE BILL**

**[B 69B—2001]**

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*(As agreed to by the Select Committee on Social Services  
(National Council of Provinces))*

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**[B 69C—2001]**

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**AMENDMENTS AGREED TO**

**MENTAL HEALTH CARE BILL  
[B 69B—2001]**

**CLAUSE 19**

1. On page 11, in line 7, after “19” to insert “(1)”.

**CLAUSE 20**

1. On page 11, in line 23, after “persons” to insert “who are South African citizens”.

**CLAUSE 23**

1. On page 12, in line 19, to omit “paragraph (a)” and to substitute “subsection (1)”.

**CLAUSE 47**

1. On page 23, in line 10, to omit “High Court” and to substitute “judge in chambers”.
2. On page 23, in line 43, to omit “High Court” and to substitute “judge in chambers”.
3. On page 23, in line 56, to omit “High Court” and to substitute “judge in chambers”.
4. On page 24, in line 5, to omit “current administrator” and to substitute “official curator *ad litem*”.
5. On page 24, in line 6, to omit “request the Master of the relevant High Court to”.
6. On page 24, in line 7, to omit “another administrator” and to substitute “a legal practitioner”.
7. On page 24, in line 12, to omit “administrator” and to substitute “legal practitioner”.
8. On page 24, in line 14, to omit “High Court” and to substitute “judge in chambers”.
9. On page 24, in line 20, to omit “High Court” and to substitute “judge in chambers”.
10. On page 24, after line 25, to add:

(7) For the purposes of this section “legal practitioner” means an attorney or an advocate who has a right of appearance in a High Court.

CLAUSE 48

1. On page 25, in line 3, to omit “High Court” and to substitute “judge in chambers”.

CLAUSE 60

1. On page 30, in line 14, to omit “subsection (5)” and to substitute “subsections (5) and (13)”.
2. On page 30, in line 18, to omit “relevant taxing master according to principles applicable to taxing bills of cost in civil proceedings” and to substitute:

Master after consultation with the person conducting the investigation

CLAUSE 61

1. On page 30, in line 45, to omit “who could be himself or herself”.
2. On page 30, in line 50, to omit “relevant taxing master according to principles applicable to taxing bills of cost in civil proceedings” and to substitute:

Master after consultation with the person conducting the investigation

CLAUSE 63

1. On page 31, in line 3, to omit “within 30 days of his or her” and to substitute “before a Master of a High Court signs an official notice of”.
2. On page 31, in line 44 and 45, to omit “paragraph (b)”.

CLAUSE 65

1. On page 32, in line 41, to omit “minors or minors” and to substitute “person or person”.
2. On page 32, in line 43, after “79” to insert “83”.
3. On page 32, in line 45, to omit “minor” and to substitute “person”.

CLAUSE 67

1. On page 33, in line 43, after “under” to omit “of”.

CLAUSE 70

1. On page 34, in lines 48 and 49, to omit “a fine not exceeding R5000 or to imprisonment for a period not exceeding six months, or both such fine or such imprisonment” and to substitute:

a fine or to imprisonment for a period not exceeding six months or to both such fine and such imprisonment

CLAUSE 74

1. On page 36, in line 1, to omit “reception” and to substitute “detention”.

CLAUSE 75

1. On page 36, in line 16, to omit “2001” and to substitute “2002”.