

REPUBLIC OF SOUTH AFRICA

**PORTFOLIO COMMITTEE AMENDMENTS
TO
PAROLE AND CORRECTIONAL
SUPERVISION AMENDMENT
BILL**

[B 57—97]

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

[B 57A—97]

REPUBLIEK VAN SUID-AFRIKA

**PORTEFEULJEKOMITEE-AMENDEMENTE
OP
WYSIGINGSWETSONTWERP
OP PAROOL EN
KORREKTIEWE TOESIG**

[W 57—97]

(Soos goedgekeur deur die Portefeuljekomitee oor Korrektiewe Dienste (Nasionale Vergadering))

[W 57A—97]

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AMENDMENTS AGREED TO

PAROLE AND CORRECTIONAL SUPERVISION AMENDMENT BILL [B 57—97]

CLAUSE 3

1. On page 4, in line 27, after “Justice” to insert:
and an alternate, with a legal background,
2. On page 4, in line 37, to omit “three” and to substitute “five”.
3. On page 4, in line 38, after “vice-chairman” to insert:
, an official of the Department and an official of the Department of Justice

CLAUSE 7

1. On page 8, in line 33, to omit all the words after “recommendations” up to and including “placed” in line 36 and to substitute:
on the possible placement of the prisoner concerned on parole or on day parole, and the conditions under which the prisoner may be so placed, to the court which sentenced the prisoner
2. On page 10, in line 6, after “person” to insert “authorised thereto by the prisoner”.
3. On page 10, in lines 15 and 16, to omit “National Advisory Council” and to substitute “court”.
4. On page 10, in line 17, to omit “National Advisory Council” and to substitute “court”.

CLAUSE 8

Clause rejected.

CLAUSE 9

1. On page 10, in line 38, to omit “section is” and to substitute “sections are”.
2. On page 10, after line 46, to insert the following:

Power of court with regard to parole and day parole in respect of prisoner serving sentence of life imprisonment

64B. (1) A court to which a report has been submitted in terms of section 63(2) may order that the prisoner concerned be placed on parole or on day parole and determine the conditions on which the prisoner shall be so placed.

(2) If the court decides that the prisoner should not be placed on parole or on day parole, it shall determine the period of imprisonment which the prisoner shall serve before the prisoner may again be considered for placement on parole or on day parole.

Complainant may make representations with regard to placement on parole

64C. (1) When a court sentences a person to imprisonment for an offence mentioned in Schedule 2, it shall inform the complainant or, in the case of murder, any relative of the deceased present that they have a right to make representations when placement of the prisoner on parole or on day parole is considered or to attend any relevant meeting of the parole board.

(2) If the complainant or a relative intends to make such representations or wishes to attend the meeting of the parole board, he has to inform the Commissioner thereof in the prescribed manner and keep the Commissioner informed of any change of address.

(3) The Commissioner shall inform the parole board in question accordingly and that parole board shall inform the complainant or relative in writing when and to whom he may make representations or when and where a meeting will take place.

CLAUSE 10

1. On page 12, in lines 1 and 2, to omit “National Advisory Council” and to substitute “court”.
2. On page 12, in line 26, to omit “20” and to substitute “25”.
3. On page 12, in line 42, to omit “20” and to substitute “25”.
4. On page 12, after line 44, to insert the following subparagraph:
 - (vi) imprisonment contemplated in section 52(2) of the Criminal Law Amendment Act, 1997, shall not be placed on parole unless he has served at least four fifths of the terms of imprisonment imposed or 25 years, whichever is the shorter: Provided that the court when imposing such imprisonment may order that the prisoner be considered for placment on parole after he has served two thirds of the term of imprisonment.
5. On page 14, in line 21, to omit “National Advisory Council” and to substitute “court which sentenced the prisoner,”.

CLAUSE 11

1. On page 14, in line 37, to omit “National Advisory Council” and to substitute “court”.

CLAUSE 12

1. On page 14, in line 48, to omit “National Advisory Council” and to substitute “court”.

CLAUSE 18

1. On page 18, from line 41, to omit subsection (2).

CLAUSE 23

1. On page 20, in line 54, to omit “20” and to substitute “25”.