

EMBARGO: FOR IMMEDIATE RELEASE

MEDIA STATEMENT BY THE SOUTH AFRICAN LAW REFORM COMMISSION CONCERNING ITS RELEASE OF DISCUSSION PAPER 136 ON STATUTORY LAW REVISION IN RESPECT OF LEGISLATION ADMINISTERED BY THE DEPARTMENT OF ENVIRONMENTAL AFFAIRS

The South African Law Reform Commission (SALRC) hereby releases its Discussion Paper 136 on Project 25: “Statutory law revision in respect of legislation administered by the Department of Environmental Affairs (DEA)” for general information and comment.

The discussion paper sets out the SALRC’s preliminary recommendations for law reform regarding statutes administered by the DEA.

In 2003, Cabinet approved that the then Minister for Justice and Constitutional Development (now the Minister of Justice and Correctional Service) should coordinate and mandate the SALRC to review statutes in the national legislative framework, so as to identify provisions that would result in discrimination as defined by section 9 of the Constitution. Section 9 prohibits unfair discrimination on the basis of race, gender, sex, pregnancy, marital status, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture, language, or birth. Redundant or obsolete statutory provisions that are identified in the course of the investigation are also recommended for repeal.

The SALRC has identified 43 statutes as being statutes that are administered by the DEA. After careful and thorough analysis of these statutes, the SALRC proposes as follows:

- The six statutes listed in Schedule 1 of the proposed Environmental Affairs General Laws Amendment and Repeal Bill contained in Annexure A of the discussion paper should be repealed, for reasons set out in Chapter 2 of the discussion paper; and
- The provisions of the four statutes set out in Schedule 2 of the proposed Bill should be amended to the extent set out in the fourth column of that Schedule, for reasons set out in Chapter 2 of the discussion paper.

On 13 June 2015, the SALRC considered and approved the publication of Discussion Paper 136. The SALRC invites comments on the discussion paper. Comments should reach the SALRC **by 31 January 2016** and should be sent to the following address:

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The South African Law Reform Commission was established by the South African Law Reform Commission Act 19 of 1973. The SALRC is an advisory body whose aim is the renewal and improvement of the law of South Africa on a continual basis.

Discussion Paper 136 will be made available on the Internet at the following site: <http://www.justice.gov.za/salrc/dpapers.htm>. The discussion paper is also obtainable free of charge from the SALRC on request; please contact Mr Jacob Kabini at (012) 622 6327.

ISSUED BY THE SECRETARY: SA LAW REFORM COMMISSION

DATE: 19 OCTOBER 2015

CONTACT PERSON FOR ENQUIRIES IN RESPECT OF MEDIA STATEMENT:

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