
GENERAL NOTICES • ALGEMENE KENNISGEWINGS

DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT

NOTICE 1482 OF 2022

PUBLICATION OF EXPLANATORY SUMMARY OF THE REPEAL OF THE TRANSKEIAN PENAL CODE BILL, 2022

1. Notice is hereby given in terms of Rule 276(1)(b) of the Rules of the National Assembly that the Minister of Justice and Correctional Services intends to introduce the Repeal of the Transkeian Penal Code Bill, 2022 (the Bill), in the National Assembly shortly.
2. The explanatory summary of the Bill is hereby published in accordance with Rule 276(1)(c) of the Rules of the National Assembly.
 - 3.1 The primary aim of the Bill is to provide for the repeal of the Transkeian Penal Code, 1983 (Act 9 of 1983 of the Republic of Transkei) (the Code), to extend the application of certain laws to the area formerly known as the Republic of Transkei, to provide for transitional arrangements and to provide for matters connected therewith.
 - 3.2 When the former Republic of Transkei became 'independent', the Code was enacted. Almost 20 years after the reincorporation of the former Republic of Transkei into South Africa, the Code remains operational, although the former Republic of Transkei has ceased to exist.
 - 3.3 The continued application of the Code has created an untenable situation. In the rest of the Republic of South Africa, a large part of substantive criminal law has not been codified but in the former Republic of Transkei, as a result of the application of the Code, crimes are codified.
 - 3.4 It is therefore incumbent on the State to ensure that there is a uniform system of criminal law and that there are no parallel laws that regulate the same subject-matter in different parts of the country.
4. 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 Printing Works.