

DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT

NO. 407

29 MARCH 2018

**MAGISTRATES' COURTS ACT, 1944 (ACT NO. 32 OF 1944): INTENTION TO
CREATE MAGISTERIAL DISTRICTS AND ESTABLISH DISTRICT COURTS IN THE
KWAZULU NATAL PROVINCE AS PART OF THE RATIONALISATION OF
MAGISTERIAL DISTRICTS**

The Minister of Justice and Correctional Services Adv. Tshililo Michael Masutha, (MP) intends, in terms of section 2(1)(a), (f), (h), (j), (k) and (l) of the Magistrates' Courts Act, 1944 (Act No. 32 of 1944) read with section 6 of Schedule 6 to the Constitution of the Republic of South Africa, 1996 to:

- (a) create, in respect of the areas mentioned in Column "A" of Schedule 1, magisterial districts as reflected under Column "B" of Schedule 1 and declare that those magisterial districts be known by the names referred to in the said Column "B";
- (b) detach portions of the magisterial districts under column "B" of Schedule 1 to form areas of jurisdiction of detached courts for sub-districts as reflected under column "E" of Schedule 1 and declare that those sub-districts be known by the names referred to in the said Column "E";
- (c) establish, for the districts mentioned under Column "B" of Schedule 1 and sub-districts under Column "E" of Schedule 1, courts as reflected under Columns "C" and "F" of Schedule 1 for the purpose of—
 - (i) the trial of persons accused of committing any offences which shall have jurisdiction contemplated in section 89 and 92 of the Magistrates' Courts Act, 1944; and
 - (ii) adjudication of civil disputes contemplated in section 29(1) of the Magistrates' Courts Act, 1944;
- (d) specify, in respect of each district mentioned under Column "C" of Schedule 1, seats of the magistracy as reflected under Column "D" of Schedule 1;

- (e) appoint, in respect of the sub-districts mentioned under Column "E" of Schedule 1, places for holding of the Detached Courts as reflected under Column "F" of Schedule 1;
- (f) define, in respect of each district mentioned under Column "B" of Schedule 1, local limits as reflected in the published maps ;
- (g) define, in respect of each detached court mentioned under Column "E" of Schedule 1, the area of jurisdiction of the sub-districts concerned as reflected under the published maps;
- (h) appoint, within the districts mentioned under Column "B" of Schedule 1 and sub-districts mentioned under Column "E" of Schedule 1, places for the holding of a court and periodical courts as reflected under Column "G" of Schedule 1;
- (i) declare that the periodical courts mentioned under Column "F" of Schedule 1, shall exercise jurisdiction over the same area of jurisdiction of the districts or sub-districts; and

The maps which illustrate the magisterial districts and appointment of places for the holding of a court as reflected in the attached Schedules may be accessed on the website of the Department at the following address:
<http://www.justice.gov.za/maps/maps.html>

Comments regarding the proposed districts, sub-districts and appointment of courts and places for the holding of a court may be submitted in writing on or before 15 May 2018 to the following address: The Director General, Department of Justice and Constitutional Development. Private Bag X81, Pretoria. 0001 for the attention of Mr. M Moagi; email. makmoagi@justice.gov.za.

SCHEDULE 1: (KWAZULU NATAL PROVINCE)

COLUMN A	COLUMN B	COLUMN C	COLUMN D	COLUMN E	COLUMN F	COLUMN G
AREA	PROPOSED MAGISTERIAL DISTRICTS	PROPOSED COURTS TO BE ESTABLISHED	PROPOSED SEAT OF THE MAGISTRACY	PROPOSED SUB- DISTRICTS/ DETACHED COURTS	PROPOSED PLACES FOR THE HOLDING OF THE DISTRICTS/DETACHED COURTS	PROPOSED PLACES FOR THE HOLDING OF A COURT AND PERIODICAL COURTS
Amajuba	Amajuba	Newcastle	Newcastle	Emadlangeni	Utrecht	Madadeni (Place for the holding of a court: Newcastle);
				Dannhauser	Dannhauser	Charlestown (Place for the holding of a periodical court: Newcastle)
eThekweni	eThekweni	Durban	Durban	eThekweni North	Ntuzuma	Newlands (Place for the holding of a court: Durban)
				eThekweni South	Emlazi	Point (Place for the holding of a court: Durban)
				eThekweni West	Pinetown	Wentworth (Place for the holding of a court: Durban)
						Verulam (Place for the holding of a court: eThekweni North)

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COLUMN A	COLUMN B	COLUMN C	COLUMN D	COLUMN E	COLUMN F	COLUMN G
AREA	PROPOSED MAGISTERIAL DISTRICTS	PROPOSED COURTS TO BE ESTABLISHED	PROPOSED SEAT OF THE MAGISTRACY	PROPOSED SUB- DISTRICTS/ DETACHED COURTS	PROPOSED PLACES FOR THE HOLDING OF THE SUB- DISTRICTS/DETACHED COURTS	PROPOSED PLACES FOR THE HOLDING OF A COURT AND PERIODICAL COURTS
						Phoenix (Place for the holding of a court: eThekweni North) Inanda, Ntuzuma, Kwamashu (INK) (Place for the holding of a court: eThekweni North) Tongaat (Place for the holding of a periodical court: eThekweni North) Chatsworth Place for the holding of a court: eThekweni South) Umbumbulu (Place for the holding of a court: eThekweni South)

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COLUMN A	COLUMN B	COLUMN C	COLUMN D	COLUMN E	COLUMN F	COLUMN G
AREA	PROPOSED MAGISTERIAL DISTRICTS	PROPOSED COURTS TO BE ESTABLISHED	PROPOSED SEAT OF THE MAGISTRACY	PROPOSED SUB- DISTRICTS/ DETACHED COURTS	PROPOSED PLACES FOR THE HOLDING OF THE SUB- DISTRICTS/DETACHED COURTS	PROPOSED PLACES FOR THE HOLDING OF A COURT AND PERIODICAL COURTS
						Amanzimtoti (Place for the holding of a court: eThekweni South) Nsimbini (Place for the holding of a court: eThekweni South) Mpumalanga (Place for the holding of a court: eThekweni West)
Harry Gwala	Harry Gwala	Polela	Polela	Ubuhlebezwe	Ixopo	Himeville (Place for the holding of a court: Polela)
				Umzimkhulu	Umzimkhulu	Donnybrook (Place for the holding of a court: Polela)

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COLUMN A	COLUMN B	COLUMN C	COLUMN D	COLUMN E	COLUMN F	COLUMN G
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				Greater Kokstad	Kokstad	periodical court: Polela) High Flats (Place for the holding of a periodical court: Ubuhlebezwe) Ntsikeni (Place for the holding of a periodical court: Umzimkhulu)
Ilembe	Ilembe	Kwadukuza	Kwadukuza	Maphumulo	Maphumulo	Nyoni (Place for the holding of a periodical court: Kwadukuza)
				Ndwedwe	Ndwedwe	Umhlati (Place for the holding of a court: Kwadukuza) Nsuzi (Place for the holding of a periodical court: Ndwedwe)

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COLUMN A	COLUMN B	COLUMN C	COLUMN D	COLUMN E	COLUMN F	COLUMN G
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King Cetshwayo	King Cetshwayo	Empangeni	Empangeni	Nkandla	Nkandla	Emthonjaneni (formerly Melmoth, Place for the holding of a court: Empangeni)
				Umlalazi	Eshowe	Richard's Bay (Place for the holding of a court: Empangeni)
						Esikhaleni (Place for the holding of a court: Empangeni)
						Ngwelezane (Place for the holding of a court: Empangeni)
						Kwambonambi (Place for the holding of a periodical court: Empangeni)
						Inkanyezi (Place for

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COLUMN A	COLUMN B	COLUMN C	COLUMN D	COLUMN E	COLUMN F	COLUMN G
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						the holding of a court: Umlalazi)
						Mthunzini (Place for the holding of a court: Umlalazi)
						Gingindlovu (Place for the holding of a periodical court: Umlalazi)
						Ekhombe (Place for the holding of a periodical court: Nkandla)
Ugu	Ugu	Port Shepstone	Port Shepstone	Umdoni	Scottburgh	Izingolweni (Place for the holding of a court: Port Shepstone)
				Umuziwabantu	Harding	Ramsgate (Place for the holding of a

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COLUMN A	COLUMN B	COLUMN C	COLUMN D	COLUMN E	COLUMN F	COLUMN G
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				Umzumbé	Umzumbé	court: Shepstone) Dududu Place for the holding of a court: Umdoni) Umzinto (Place for the holding of a court: Umdoni) Sawoti (Place for the holding of a periodical court: Umdoni) Phungashe (Place for the holding of a court: Umzumbé)
Umgungundlovu	Umgungundlovu	Pietermaritzburg	Pietermaritzburg	Umgungundlovu East	Camperdown	Richmond (Place for the holding of a court: Umgungundlovu East)
				Umgungundlovu West	Howick	

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COLUMN A	COLUMN B	COLUMN C	COLUMN D	COLUMN E	COLUMN F	COLUMN G
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						New Hanover (Place for the holding of a court: Umgungundlovu East)
						Impendle (Place for the holding of a court: Umgungundlovu West)
						Mooi River (Place for the holding of a court: Umgungundlovu West)
Umkhanyakude	Umkhanyakude	Ubombo	Ubombo	Mtubatuba Umhlabyalingana	Mtubatuba Manguzi	Ingwavuma (Place for holding of a court: Ubombo) Hlabisa (Place for the holding of a court: Mtubatuba)

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						Kwamsane (Place for the holding of a court: Mtubatuba) Hluhluwe (Place for the holding of a periodical court: Mtubatuba) Mbazwana (Place for the holding of a periodical court: Umhlalabuyalingana)
Umzinyathi	Umzinyathi	Dundee	Dundee	Msinga	Msinga	Glencoe (Place for the holding of a court: Dundee)
				Umvoti	Greytown	Wasbank (Place for the holding of a court: Dundee)

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				Nquthu	Nquthu	periodical court: Dundee)
						Kranskop (Place for the holding of a court: Umvoti)
						Pomeroy (Place for the holding of a periodical court: Msinga)
						Colenso (Place for the holding of a court: Ladysmith)
						Ekuvukeni (Place for the holding of a court: Ladysmith)
						Ezakheni (Place for the holding of a court: Ladysmith)
						Dukuza (Place for the holding of a court: Okhahlamba)
Uthukela	Uthukela	Ladysmith	Ladysmith	Okhahlamba	Bergville	
				Inkosi Langalibalele	Estcourt	

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						Winterton (Place for the holding of a periodical court: Okhahlamba)
						Weenen (Place for the holding of a court: Inkosi Langalibalele)
Zululand	Zululand	Nongoma	Nongoma	Abaqulusi	Vryheid	Edumbe (Paulpietersburg) (Place for the holding of a court: Abaqulusi)
				Uphongolo	Pongola	Louwsburg (Place for the holding of a court: Abaqulusi)
				Ulundi	Mahlabathini	Glückstadt (Place for the holding of a periodical court: Abaqulusi)

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						Hlobane (Place for the holding of a periodical court: Abaqulusi) Magudu (Place for the holding of a court: Uphongolo) Ncotshane (Place for the holding of a court: Uphongolo) Babanango (Place for the holding of a court: Ulundi).

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