



**RULES BOARD FOR COURTS OF LAW
REPUBLIC OF SOUTH AFRICA**

2nd Floor, Centre Walk East Tower, 266 Pretorius Street, PRETORIA • P.O. Box 13106, The Tramshed, 0126 • Tel (012) 326 8014/ 8045, Fax (012) 326 8018

9 October 2018

Our ref: R Daya/M Mokulubete

Your ref:

Dear Sir/Madam,

**INVITATION FOR SUBMISSION OF COMMENTS ON THE PROPOSED CHILDREN'S COURT
RULES AND FORMS**

The purpose of this letter is to invite comments on the proposed Children's Court rules and forms.

The Rules Board for Courts of Law ("Rules Board") has, pursuant to section 6 of the Rules Board for Courts of Law Act, 1985 (Act No. 107 of 1985), read with section 52 of the Children's Act, 2005 (Act No. 38 of 2005), resolved to develop the rules for the Children's Courts of the country. In order to carry out such task, a Task Team was established to investigate, research, review and recommend the draft rules for consideration and approval by the Rules Board.

The draft rules and forms recommended by the Task Team, via the Magistrate's Courts Committee of the Rules Board were ultimately approved in principle by the Rules Board on 28 September 2018, for the purpose of inviting submission of comments thereon. Therefore, a memorandum on the objects of the draft Children's Court rules, the draft Children's Court rules and forms are contained in the annexures hereto:

- **[ANNEXURE A – MEMORANDUM ON OBJECTS OF THE RULES]**
- **[ANNEXURE B – THE DRAFT CHILDREN'S COURT RULES]**
- **[ANNEXURE C – DRAFT CHILDREN'S COURT FORMS]**

Board members appointed in terms of Section 3 of the Rules Board for Courts of Law Act 107 of 1985

Justice N Dambuza(Chairperson)| Justice FE Mokgohloa(Vice-Chairperson)| Mr.M Kutama | Adv.L Haupt SC | Mr.A Essa | Ms.J Wessels
Mr.P Hundermark | Ms.N Ndlovu | Mr.R Isaacs | Mr.T Seboka | Adv.M Sishuba | Prof.E Hurter | Adv.M Basdew | Mr.G Bellairs | Mr.T Thupaatlase

As part of its consultative process, the Rules Board hereby invites comments on the draft Children's Court rules and forms in general.

However, specific comments are also invited to aspects or enquiries contained in the boxes within the draft rules. In addition, the Rules Board will be highly appreciative of receiving comments on any other provision that needs to be inserted into the draft rules and forms.

Your comments are invited, for submission by no later than **07 December 2018**.

Submissions can be sent via hand delivery, post, facsimile or email as follows:

PHYSICAL ADDRESS: 2nd Floor, Centre Walk East Tower, 266 Pretorius Street, Pretoria.

POSTAL ADDRESS: P. O. Box 13106, The Tramshed, 0126.

FACSIMILE: (086) 519 8972.

EMAIL: Makubela Mokulubete (MMokulubete@justice.gov.za).

Further enquiries may be directed to (012) 406 4755.

Yours sincerely,

Raj Daya (signed electronically)

Raj Daya
Deputy Chief State Law Adviser
Secretary to the Rules Board
w: +27 (0)12 3268014 | fx : +27 (0)12 3268018
efx:+27 (0)86 7540681| m : +27 (0)83 4392150
rajdaya@justice.gov.za
www.justice.gov.za