



**South African  
Law Reform Commission**

**PUBLICATIONS COMPLETED BY THE SOUTH AFRICAN LAW REFORM COMMISSION FROM 1994 TO 2005**

**Summary:**

The following table reflects 145 publications (excluding annual reports) completed by the Commission from 1994 to 2005:

Year	Reports	Discussion Papers	Issue Papers	Total
1994	14	4	0	18
1995	5	6	0	11
1996	3	8	4	15
1997	1	5	7	13
1998	10	6	3	19
1999	5	8	0	13
2000	5	7	2	14
2001	5	8	2	15
2002	4	0	3	7
2003	6	1	3	10
2004	3	4	1	8
2005	0	2	0	2
<b>Total</b>	<b>61</b>	<b>59</b>	<b>25</b>	<b>145</b>

**1994 REPORTS**

- \* Investigation into the courts' powers of review of administrative acts
- \* The division of pension benefits on divorce
- \* Investigation into the payments system in South African law
- \* Group and human rights

- \* Section 138 of the Companies Act 61 of 1973
- \* The protection of the financial markets in the event of insolvency
- \* Reform of the South African law of bail
- \* The simplification of criminal procedure: Appeal procedures
- \* Debt collecting: Imprisonment for debt
- \* Jewish divorces
- \* Interest on damages
- \* Natural fathers of children born out of wedlock
- \* Application of the trapping system
- \* Jurisdictional lacuna in the Supreme Court Act, 1959

**TOTAL: 14**

#### **1994 DISCUSSION PAPERS**

- \* The legal consequences of sexual realignment and related matters
- \* Unreasonable stipulations in contracts and the rectification of contracts
- \* Euthanasia and the artificial preservation of life
- \* Declaration and detention of persons as state patients

**TOTAL: 4**

#### **1995 REPORTS**

- \* The legal consequences of sexual realignment and related matters
- \* Simplification of criminal procedure
- \* Debt collecting
- \* Declaration and detention of persons as state patients
- \* International cooperation in criminal prosecutions

**TOTAL: 5**

#### **1995 DISCUSSION PAPERS**

- \* Review of the law of insolvency
- \* Aspects of the law relating to AIDS
- \* The recognition of a class action in South African law
- \* Arbitration
- \* The admissibility of computer evidence
- \* International cooperation in criminal prosecutions

**TOTAL: 6**

**1996 REPORTS**

- \* Speculative and contingency fees
- \* Access to minor children by interested persons
- \* Money laundering and related matters

**TOTAL: 3****1996 DISCUSSION PAPERS**

- \* Grandparents' visitation rights
- \* Unreasonable stipulations in contracts and the rectification of contracts
- \* Review of the law of insolvency
- \* Aspects of the law relating to AIDS
- \* Speculative and contingency fees
- \* A draft international Arbitration Act for South Africa
- \* The Apportionment of Damages Act, 1956
- \* Money laundering and related matters

**TOTAL: 8****1996 ISSUE PAPERS**

- \* Customary marriages
- \* Conflict of personal laws
- \* Family violence
- \* Money laundering and related matters

**TOTAL: 4****1997 REPORTS**

- \* First interim report on aspects of the law relating to AIDS

**TOTAL: 1****1997 DISCUSSION PAPERS**

- \* Domestic violence
- \* Euthanasia and the artificial preservation of life
- \* Pre-employment HIV testing
- \* HIV/AIDS and discrimination in schools

- \* Customary marriages

**TOTAL: 5**

#### **1997 ISSUE PAPERS**

- \* Review of the maintenance system
- \* Simplification of criminal procedure: Access to the criminal justice system
- \* Sentencing: Restorative justice
- \* Arbitration: Alternative dispute resolution
- \* Juvenile justice
- \* Sexual offences against children
- \* Sentencing: Mandatory minimum sentences

**TOTAL: 7**

#### **1998 REPORTS**

- \* Time limits for the institution of actions against the state
- \* Unreasonable stipulations in contracts and the rectification of contracts
- \* Pre-employment HIV testing
- \* HIV/AIDS and discrimination in schools
- \* Euthanasia and the artificial preservation of life
- \* The recognition of class actions and public interest actions in South African law
- \* Customary marriages
- \* International arbitration
- \* Maintenance
- \* Constitutional jurisdiction of magistrates' courts

**TOTAL: 10**

#### **1998 DISCUSSION PAPERS**

- \* Constitutional jurisdiction of magistrates' courts
- \* Customary law: Conflicts of law
- \* Sharing of pension benefits
- \* Security legislation: The Interception and Monitoring Prohibition Act
- \* Juvenile justice
- \* The need for a statutory offence aimed at harmful HIV-related behaviour

**TOTAL: 6**

**1998 ISSUE PAPERS**

- \* Succession in customary law
- \* Review of the Child Care Act
- \* Computer-related crime

**TOTAL: 3****1999 REPORTS**

- \* The enactment in SA of UNCITRAL's model law on cross-border insolvency
- \* Customary law: Conflicts of law
- \* Security legislation: Monitoring and Interception Prohibition Act
- \* Sharing of pension benefits
- \* Administrative law

**TOTAL: 5****1999 DISCUSSION PAPERS**

- \* Administrative law
- \* Traditional courts and the judicial function of traditional leaders
- \* Domestic arbitration
- \* Compulsory HIV testing of persons arrested in sexual offence cases
- \* Sexual offences: The substantive law
- \* Review of the law of insolvency
- \* Arbitration: Community dispute resolution structures
- \* Review of the Marriage Act

**TOTAL: 8****2000 REPORTS**

- \* Review of the law of insolvency
- \* The right of the Director of Public Prosecutions to appeal on questions of fact
- \* A new sentencing framework
- \* Compulsory HIV testing of persons arrested in sexual offence cases
- \* Juvenile justice

**TOTAL: 5****2000 DISCUSSION PAPERS**

- \* The right of the Director of Public Prosecutions to appeal on questions of fact
- \* The application of the Bill of Rights to criminal procedure, criminal law, the law of evidence and sentencing
- \* A new sentencing framework
- \* Review of security legislation: Terrorism
- \* Customary law: Succession
- \* Simplification of criminal procedure: Sentence agreements
- \* Customary law: Administration of estates

**TOTAL: 7**

#### **2000 ISSUE PAPERS**

- \* Islamic marriages and related matters
- \* Uniform national legislation on the fencing of national roads

**TOTAL: 2**

#### **2001 REPORTS**

- \* Simplification of Criminal Procedure: Sentence Agreements
- \* The Application of the Bill of Rights to Criminal Procedure, Criminal Law, the Law of Evidence and Sentencing
- \* Domestic Arbitration
- \* Aspects of the Law Relating to AIDS: The Need for a Statutory Offence Aimed at Harmful HIV-Related Behaviour
- \* The Review of the Marriage Act 25 of 1961

**TOTAL: 5**

#### **2001 DISCUSSION PAPERS**

- \* Simplification of criminal procedure: A more inquisitorial approach to criminal procedure - police questioning, defence disclosure, the role of judicial officers and judicial management of trials
- \* Sentencing: A compensation scheme for victims of crime in South Africa
- \* Publication of divorce proceedings: Section 12 of the Divorce Act 70 of 1979
- \* Computer-related crime: Preliminary proposals for reform in respect of unauthorised access to computers, unauthorised modification of computer data and software applications and related procedural aspects

- \* Security Legislation: Terrorism
- \* Simplification of Criminal Procedure: A More Inquisitorial Approach to Criminal Procedure: Police Questioning, Defence Disclosure, The Role of Judicial Officers and Judicial Management of Trials
- \* Simplification of Criminal Procedure: Out-of-Court Settlements in Criminal Cases
- \* The Publication of Divorce Proceedings: Section 12 of the Divorce Act 70 of 1979

Review of the Black Administration Act 38 of 1927

## 2002 DISCUSSION PAPERS

- \* Consolidated legislation pertaining to international co-operation in civil matters

**TOTAL: 3**

TOTAL: 4

## 2003 REPORTS

2004 ISSUE PAPERS

- \* Sexual offences
- \* Project 110: Review of the Child Care Act, 1983