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**BILL**

To establish a South African Judicial Education Institute in order to promote the independence, impartiality, dignity, accessibility and effectiveness of the courts by providing judicial education for judicial officers; to provide for the administration and management of the affairs of that Institute and for the regulation of its activities; and to provide for matters connected therewith.

**PREAMBLE**

SINCE the need for education and training of judicial officers, whether aspirant, newly appointed or experienced, has long been recognised and that principle is practiced and entrenched in most judicial systems around the world;

AND SINCE there is a need for the education and training of judicial officers in a quest for enhanced service delivery and the rapid transformation of the judiciary;

AND SINCE the law has become much more complex and varied, develops rapidly and is increasingly influenced by the globalisation of legal systems, trade, technology, new insights and challenges;

AND SINCE education and training of judicial officers are necessary to uphold judicial independence, on the one hand, and to facilitate judicial accountability, on the other, and both are indispensable requirements of a judiciary in a functioning democracy;

AND SINCE it is desirable that the education and training of judicial officers should primarily be directed and controlled by the judiciary;

AND SINCE section 180(a) of the Constitution provides that national legislation may provide for training programmes for judicial officers,

**BE IT THEREFORE ENACTED** by the Parliament of the Republic of South Africa, as follows: —

**Definitions**

1. In this Act, unless the context indicates otherwise—

- (i) ✓ **"Constitution"** means the Constitution of the Republic of South Africa, 1996;
- (ii) ✓ **"Council"** means the Council of the Institute established by section 6;
- (iii) ✓ **"Department"** means the Department of Justice and Constitutional Development;
- (iv) ✓ **"Director"** means the Director appointed in terms of section 12(1);
- (v) ✓ **"Director-General"** means the head of the Department;
- (vi) ✓ **"Institute"** means the South African Judicial Education Institute established by section 3;
- (vii) **"Minister"** means the Cabinet member responsible for the administration of justice;
- (viii) **"this Act"** includes any guidelines issued under section 15.

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AND WHEREAS law has become much more complex and varied, develops rapidly and is increasingly influenced by the globalisation of legal systems, trade, technology, new insights and challenges.¶  
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AND WHEREAS the courts are by that section also vested with independence, and are subject only to the Constitution and the law, which they must apply impartially and without fear, favour or prejudice.¶  
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AND WHEREAS organs of state, through legislative and other measures, must assist and protect the courts to ensure their independence, impartiality, dignity, accessibility and effectiveness.¶

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AND WHEREAS the need for education and training of judicial officers, whether aspirant, newly appointed or experienced, has long been recognised and that principle is practiced and entrenched in most judicial systems around the wor ... [1]

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