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GENERAL NOTICE ALGEMENE KENNISGEWING

NOTICE 939 OF 2014

DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT

PUBLICATION OF EXPLANATORY SUMMARY OF THE MAINTENANCE AMENDMENT BILL, 2014

1. Notice is hereby given in terms of Rule 241(1)(b) of the Rules of the National Assembly that the Minister of Justice and Correctional Services intends introducing the Maintenance Amendment Bill, 2014, in the National Assembly shortly.
2. The explanatory summary of the Bill is hereby published in accordance with Rule 241(1)(c) of the Rules of the National Assembly.

The Bill is intended to amend the Maintenance Act, 1998, so as to-

- (a) further regulate the lodging of complaints relating to maintenance and the jurisdiction of maintenance courts;
- (b) further regulate the investigation of maintenance complaints;
- (c) further regulate the securing of witnesses for purposes of a maintenance enquiry;
- (d) further regulate maintenance enquiries in order to make provision for the granting of interim maintenance orders;
- (e) further regulate the making of maintenance orders;
- (f) further regulate the making of maintenance orders by consent;
- (g) further regulate the circumstances in which maintenance orders may be granted by default;
- (h) further regulate the granting of cost orders;
- (i) regulate the effect a maintenance order made by a maintenance court has on a maintenance order made by another court;
- (j) further regulate the transfer of maintenance orders;
- (k) regulate the reporting of a maintenance defaulter to any business which has as its object the granting of credit or is involved in the credit rating of persons;
- (l) further regulate the attachment of emoluments;
- (m) to increase the penalties for certain offences;
- (n) create certain new offences;
- (o) further regulate the conversion of criminal proceedings into maintenance enquiries; and
- (p) provide for matters connected therewith.

3. A copy of the Bill can be found on the websites of the Department and Parliamentary Monitoring Group at <http://doj.gov.za> and <http://www.pmg.org.za> and may, after introduction, also be obtained from the Government Printers, Cape Town (telephone number: 021 – 465 7531).

KENNISGEWING 939 VAN 2014**DEPARTEMENT VAN JUSTISIE EN STAATKUNDIGE ONTWIKKELING****PUBLIKASIE VAN VERDUIDELIKENDE OPSOMMING VAN DIE
WYSIGINGSWETSONTWERP OP ONDERHOUD, 2014**

1. Kragtens Reël 241(1)(b) van die Reëls van die Nasionale Vergadering word hiermee kennis gegee dat die Minister van Justisie en Korrektiewe Dienste beoog om die Wysigingswetsontwerp op Onderhoud, 2014, eersdaags in die Nasionale Vergadering in te dien.

2. Die verduidelikende opsomming van die Wetsontwerp word hierby ooreenkomstig Reël 241(1)(c) van die Reëls van die Nasionale Vergadering gepubliseer.

Die Wetsontwerp het ten doel om die Wet op Onderhoud, 1998, te wysig ten einde -

- (a) die indiening van klagtes met betrekking tot onderhoud en die jurisdiksie van onderhoudshoue verder te reël;
- (b) die ondersoek van onderhoudsklagtes verder te reël;
- (c) die verkryging van getuies vir die doel van 'n onderhoudsondersoek verder te reël
- (d) onderhoudsondersoeke verder te reël om voorsiening te maak vir die toestaan van tussentydse onderhoudsbevele;
- (e) die gee van onderhoudsbevele verder te reël;
- (f) die gee van onderhoudsbevele by wyse van toestemming verder te reël;
- (g) die omstandighede waaronder onderhoudsbevele by verstek toegestaan mag word, verder te reël;
- (h) die toestaan van kostebevele verder te reël;
- (i) die uitwerking van 'n onderhoudsbevel gegee deur 'n onderhoudshof op 'n onderhoudsbevel gegee deur 'n ander hof, verder te reël;
- (j) die oorplasing van onderhoudsbevele verder te reël;
- (k) die aanmelding van 'n onderhoudswanbetaler by enige onderneming wat die verlening van krediet as sy doelstelling het of by die bepaling van kredietwaardigheid van persone betrokke is, te reël;
- (l) die beslaglegging op besoldiging verder te reël;
- (m) die strawwe vir sekere misdrywe te verhoog;
- (n) sekere nuwe misdrywe te skep;
- (o) die omskepping van strafregtelike verrigtinge in onderhoudsondersoeke verder te reël; en
- (p) voorsiening te maak vir aangeleenthede wat daarmee verband hou.

3. 'n Afskrif van die Wetsontwerp kan op die webtuistes van die Departement en Parlementêre Moniteringsgroep by <http://doj.gov.za> en <http://www.pmg.org.za> gevind word en kan, na indiening, ook verkry word van die Staatsdrukkers, Kaapstad (Telefoon nommer: 021 – 465 7531).

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