

PROCLAMATIONS • PROKLAMASIES

PROCLAMATION NOTICE 241 OF 2025

by the

President of the Republic of South Africa

**COMMENCEMENT OF THE CORRECTIONAL SERVICES AMENDMENT ACT,
2021 (ACT NO. 07 OF 2021).**

In terms of section 4 of the Correctional Services Amendment Act, 2021 (Act No. 07 of 2021), I hereby determine the **1st of February 2025** as the date on which the said Amendment Act shall come into operation.

Given under my Hand and the Seal of the Republic of South Africa at Pretoria on this 10 day of December Two Thousand and Twenty-Four.

PRESIDENT
By order of the President-in-Cabinet


DR P.J. GROENEWALD
MINISTER OF CORRECTIONAL SERVICES

GENERAL EXPLANATORY NOTE:

[] Words in bold type in square brackets indicate omissions from existing enactments.

_____ Words underlined with a solid line indicate insertions in existing enactments.

 (English text signed by the President)
 (Assented to 26 May 2021)

ACT

To amend the Correctional Services Act, 1998, so as to amend a certain definition; to insert, delete and amend certain provisions related to parole of offenders; and to provide for matters connected therewith.

PARLIAMENT of the Republic of South Africa enacts, as follows:—

Amendment of section 1 of Act 111 of 1998, as amended by section 1 of Act 32 of 2001, section 1 of Act 25 of 2008 and section 1 of Act 5 of 2011

1. Section 1 of the Correctional Services Act, 1998 (Act No. 111 of 1998) (hereinafter referred to as the principal Act), is hereby amended by the substitution for the definition of “Minister” of the following definition: 5

“ ‘**Minister**’ means the [**Minister of Correctional Services**] Cabinet member responsible for correctional services;”.

Amendment of section 73 of Act 111 of 1998, as amended by section 27 of Act 32 of 2001 and substituted by section 12 of Act 5 of 2011 10

2. Section 73 of the principal Act is hereby amended—

(a) by the substitution in subsection (6) for paragraph (a) of the following paragraph:

“(a) Subject to the provisions of paragraph (b), a sentenced offender serving a determinate sentence or cumulative sentences of more than 24 months for an offence committed after the commencement of Chapters IV, VI and this Chapter may not be placed on day parole or parole until such sentenced offender has served either the stipulated non-parole period, or if no non-parole period was stipulated, half of the sentence, but day parole or parole must be considered whenever a sentenced offender has served 25 years of a sentence or cumulative sentences.”; and 15 20

(b) by the substitution in subsection (6)(b) for subparagraph (iv) of the following subparagraph:

“(iv) life incarceration for an offence committed after the commencement of Chapters IV, VI and this Chapter may not be placed on day parole or parole until he or she has served at least 25 years of the sentence; or”.

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Amendment of section 136 of Act 111 of 1998, as amended by section 42 of Act 32 of 2001

3. Section 136 of the principal Act is hereby amended—

(a) by the substitution for subsection (1) of the following subsection:

“(1) Any person serving a sentence of incarceration **[immediately]** for an offence committed before the commencement of Chapters IV, VI and VII is subject to the provisions of the Correctional Services Act, 1959 (Act No. 8 of 1959), relating to his or her placement under community corrections, and is to be considered for such release and placement by the Correctional Supervision and Parole Board in terms of the policy and guidelines applied by the former Parole Boards prior to the commencement of those Chapters.”; and

(b) by the substitution in subsection (3) for paragraph (a) of the following paragraph:

“(a) Any sentenced offender serving a sentence of life incarceration **[immediately]** for an offence committed before the commencement of Chapters IV, VI and VII is entitled to be considered for day parole and parole after he or she has served 20 years of the sentence.”.

Short title and commencement

4. This Act is called the Correctional Services Amendment Act, 2021, and comes into operation on a date determined by the President by proclamation in the *Gazette*.

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