

REPUBLIC OF SOUTH AFRICA

**PORTFOLIO COMMITTEE AMENDMENTS
TO
CORRECTIONAL SERVICES
AMENDMENT BILL**

[B 32—2007]

*(As agreed to by the Portfolio Committee on Correctional Services
(National Assembly))*

[B 32A—2007]

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AMENDMENTS AGREED TO

CORRECTIONAL SERVICES AMENDMENT BILL

[B 32—2007]

LONG TITLE

1. On page 2 in the long title after “to authorise the”, to omit “Minister of Correctional Services” and to substitute “National Council”.

CLAUSE 1

1. On page 2, in line 11, after “right” to insert “and”.
2. On page 2, in line 11, after “Act” to insert “;”.
3. On page 3, from line 1 to omit “‘care’ refers to the provision of services aimed at fulfilling the basic needs of inmates in order to develop, maintain and enhance the well being of persons under the authority of the department.”

and to substitute:

“ ‘care’ means the provision of services and programmes aimed at enhancing and maintaining the social, mental, spiritual, health and physical well being of inmates;”.

4. On page 3, after line 6, to insert the following:
“ ‘correction’ means provision of services and programmes aimed at correcting the offending behavior of sentenced offenders in order to rehabilitate them;”
5. On page 3, in line 18, to omit “‘correctional medical officer’” and to substitute “‘correctional medical practitioner’”.
6. On page 3, after line 20, to insert the following paragraph:
(g) by the insertion after the definition of “Department” of the following definition:
“ ‘development’ means the provision of services and programmes aimed at developing and enhancing competencies and skills that will enable the sentenced offender to re-integrate into the community;”.
7. On page 3, from line 23, to omit “‘disability’” means a physical or mental condition which prevents [**a prisoner**] an inmate from operating in an environment developed for persons without such an impairment, and includes—”

and to substitute:

“ ‘disability’ means a physical [**or**] ,mental [**condition**], intellectual or sensory impairments which prevents a [**prisoner**] person having such an impairment from operating in an environment developed for persons without such an impairment and includes—”.

8. On page 3, from line 41, to omit paragraph (*k*).
9. On page 3, from line 55, to omit paragraph (*p*).
10. On page 4, after line 7, to insert the following:

(v) by the substitution for the definition of “sentenced prisoners” of the following definition:

“ ‘sentenced offenders’ means a convicted person sentenced to incarceration or correctional supervision;”.

11. On page 4, in line 13, after “incarceration”, to insert “or correctional supervision”.

CLAUSE 2

1. On page 4, in line 17, to omit “ensuing” and to substitute “ensuring”.
2. On page 4, in line 20, to omit “offenders and persons subject to community corrections” and to substitute “sentenced offenders [and persons subject to community corrections]”.

CLAUSE 7

1. On page 4, in line 47, to omit “[**Sentenced prisoners**] Offenders” and to substitute “Sentenced [**prisoners**] offenders”.
2. On page 4, in line 48, to omit “unsentenced [prisoners] offenders or awaiting trial detainees” and to substitute “[**unsentenced prisoners**] persons awaiting trial or sentence”.
3. On page 5, in line 9, to omit “offenders” and to substitute “each other”.
4. On page 5, in line 9, after “the”, to insert “National”.

CLAUSE 13

1. On page 5, in line 37, after “(7)” to insert “(a)”.
2. On page 5, in line 37, after “The” to insert “National”.
3. On page 5, in line 39, to omit “inmates” and to substitute “sentenced offenders”.
4. On page 5, in line 40, to omit ” ”; and”.
5. On page 5, after line 40, to insert the following:

“(b) Organisations and denominations referred to in paragraph (a) must be registered with the Department and members thereof maybe screened by the National Commissioner before they can be allowed to interact with sentenced offenders.”; and”.

CLAUSE 17

1. On page 6, from line 39, to omit “Awaiting trial detainees or unsentenced offenders” and to substitute “Persons awaiting trial or sentence”.

CLAUSE 20

1. On page 7, in line 3, to omit “by the substitution for subsections (1) and (3), respectively of the following subsections:” and to substitute “—”.
2. On page 7, after line 4, to insert the following:

“(a) by the substitution for subsection (1) of the following subsection:”.
3. On page 7, in line 7, after “age”, to insert “or until such time that the child can be appropriately placed taking into consideration the best interest of the child”.
4. On page 7, after line 7, to insert the following:

(b) by the insertion after subsection (1) of the following subsection:
 “(1A) Upon admission of such a female inmate the Department must immediately, in conjunction with the Department of Social Development, take the necessary steps to facilitate the process for the proper placement of such a child.”.
5. On page 7, after line 7, to insert the following:

“(c) by the substitution for subsection (3) of the following subsection:”
6. On page 7, in line 8, before (3) to insert “ “ ”.

CLAUSE 24

1. On page 7, in line 31, to omit paragraph (c).
2. On page 7, from line 34, to omit:

“(d) [**in the case of serious or repeated infringements, solitary confinement**] detention in a single cell for a period not exceeding 30 days.”.

and to substitute:

“(d) in the case of serious or repeated infringements, segregation in order to undergo specific programmes aimed at correcting his or her behaviour, with a loss of gratuity and restriction of amenities as contemplated in paragraphs (b) and (c).”.
2. On page 7, in line 42, to omit “; and” and to substitute “.”.
3. On page 7, from line 43, to omit paragraph (f).

CLAUSE 25

Clause rejected.

NEW CLAUSE

1. That the following be a new clause:

“Repeal of section 25 of Act 111 of 1998

25. Section 25 of the principal Act is hereby repealed.”.

CLAUSE 27

1. On page 8, in line 35, to omit “officer” and to substitute “[**officer**] practitioner”.

CLAUSE 30

1. On page 9, from line 4, to omit paragraph (a) and to substitute the following:
 - (a) by the substitution in subsection (1) for paragraph (b) of the following paragraph:

“(b) to give effect to the penalty of the restriction of the amenities imposed in terms of section 24(3)(c) [**or**], 5(c) or 5(d) to the extent necessary to achieve this objective;”.

CLAUSE 31

1. On page 9, from line 19, to omit “[**a prisoner is in solitary confinement or in segregation**] an inmate is detained in a single cell” and to substitute “[**a prisoner is in solitary confinement or in segregation**] an inmate is in segregation.”.
2. On page 9, in line 27, to omit “Inspector-General for Correctional Services” and substitute “Inspecting Judge”.

CLAUSE 32

1. On page 9, from line 33, to omit “by the substitution for subsections (1) and (5), respectively, of the following subsections:” and to substitute “—”.
2. On page 9, after line 34, to insert the following:

“(a) by the substitution for subsection (1) of the following subsection:”
3. On page 9, in line 37, after “use”, to insert “minimum”.
4. On page 9, in line 46, after “.” to insert “ “ ”.
5. On page 9, after line 46, to insert the following:

“(b) by the substitution for subsection (5) of the following subsection:”
6. On page 9, in line 47, before “(5)” to insert “ “ ”.
7. On page 9, in line 49, to omit “officer” and substitute “[**officer**] practitioner”.

8. On page 9, after line 49, to insert the following:
- (c) by the addition after subsection (5) of the following subsection:
“(6) All instances of use of force in terms of subsections (2) and (3) must be reported to the Inspecting Judge, immediately.”.

CLAUSE 35

1. On page 10, in line 30, after “correctional”, to insert “sentence”.

CLAUSE 36

1. On page 10, from line 40, to omit “[a sentenced prisoner] an” and to substitute “a sentenced [prisoner]”.
2. On page 10, in line 41, after “[prisoner], to insert “sentenced”.
3. On page 10, in line 46, to omit “inmate’s”.
4. On page 10, in line 46, after “future”, to insert “of persons sentenced to incarceration of more than 24 months”.
5. On page 10, in line 51, after “the”, to insert “sentenced”.
6. On page 10, in line 54, after “the”, to insert “sentenced”.
7. On page 10, in line 56, after “the”, to insert “sentenced”.
8. On page 11, in line 2, after “the”, to insert “sentenced”.

CLAUSE 37

1. On page 11, in line 12, to omit “an” and substitute “a sentenced”.
2. On page 11, in line 14, to omit “an” and substitute “a sentenced”.

CLAUSE 38

1. On page 11, in line 18, to omit “[sentenced prisoners]” and substitute “sentenced [prisoners]”.
2. On page 11, in line 20, after “[prisoners]”, to insert “sentenced”.
3. On page 11, in line 23, to omit “market-related”.
4. On page 11, in line 25, to omit “[A sentenced prisoner] An” and to substitute “A sentenced [prisoner]”.
5. On page 11, in line 27, to omit “[A sentenced prisoner] An” and to substitute “A sentenced [prisoner]”.
6. On page 11, in line 30, to omit “an” and to substitute “a sentenced”.
7. On page 11, in line 32, to omit “an” and to substitute “a sentenced”.
8. On page 11, in line 37, to omit [sentenced prisoners], and to substitute, “sentenced [prisoners]”.

9. On page 11, in line 38, after “[**prisoners**]”, to insert “sentenced”.
10. On page 11, in line 43, to omit “An” and to substitute “A sentenced”.
11. On page 11, in line 45, to omit “an” and to substitute “a sentenced”.

CLAUSE 39

1. On page 12, from line 6, to omit “[**sentenced prisoners**]”, and to substitute “sentenced [**prisoners**]”.
2. On page 12, in line 8, to omit “[**sentenced prisoners**] Offenders”, and to substitute “Sentenced [**prisoners**] offenders”.
3. On page 12, in line 9, to omit “may” and substitute “must”.
4. On page 12, in line 13, to omit “[**sentenced prisoners**]”, and to substitute “sentenced [**prisoners**]”.
5. On page 12, from line 16, to omit “[**sentenced prisoners**]”, and substitute “sentenced [**prisoners**]”.
6. On page 12, in line 18, to omit “[**Sentenced prisoners**] Offenders” and substitute “Sentenced [**prisoners**] offenders”.
7. On page 12, in line 21, to omit “[**Sentenced prisoners**] Offenders” and substitute “Sentenced [**prisoners**] offenders”.

CLAUSE 40

1. On page 12, in line 37, after “[**prisoners**]”, to insert “sentenced”.
2. On page 12, in line 38, to omit “38(2)”, and substitute “38[(2) (1A)]”.
3. On page 12, in line 39, after “[**prisoner**]”, to insert “sentenced”.
4. On page 12, in line 40, after “[**prisoners**]”, to insert “sentenced”.
5. On page 12, in line 43, to omit “an”, and to substitute “a sentenced”.
6. On page 12, in line 47, to omit “[**sentenced prisoner**]”, and to substitute “sentenced [**prisoner**]”.
7. On page 12, in line 52, after “[**prisoner**]”, to insert “sentenced”.
8. On page 12, in line 54, after “[**prisoner**]”, to insert “sentenced”.
9. On page 13, in line 3, to omit “an” and to substitute “a sentenced”.
10. On page 13, in line 5, after “[**prisoner**]”, to insert “sentenced”.
11. On page 13, in line 8, after “[**prisoner**]”, to insert “sentenced”.
12. On page 13, in line 10, after “[**prisoner**]”, to insert “sentenced”.
13. On page 13, in line 12, to omit “prisoner”, and to substitute “[**prisoner**] sentenced offender”.
14. On page 13, in line 15, after “[**prisoner’s**]”, to insert “sentenced”.
15. On page 13, in line 19, after “[**prisoner**]”, to insert “sentenced”.

16. On page 13, in line 25, after “[**prisoner**]”, to insert “sentenced”.
17. On page 13, in line 27, to omit “An” and to substitute “A sentenced”.

CLAUSE 41

1. On page 13, in line 36, to omit “[**A sentenced prisoner**] An”, and to substitute “A sentenced [**prisoner**]”.
2. On page 13, in line 40, to omit “an” and to substitute “a sentenced”.
3. On page 13, in line 41, to omit “An” and to substitute “A sentenced”.
4. On page 13, in line 42, to omit “officer” and to substitute “[**officer**] practitioner”.
5. On page 13, in line 42, to omit “an” and to substitute “a sentenced”.
6. On page 13, in line 43, to omit “correctional”.
7. On page 13, in line 44, after “[**prisoner**]”, to insert “sentenced”.
8. On page 13, in line 45, to omit “officer”, and to substitute “[**officer**] practitioner”.

CLAUSE 42

1. On page 13, from line 52, to omit “[**a sentenced prisoner**] an” and to substitute, “a sentenced [**prisoner**]”.
2. On page 13, in line 55, to omit “**offender**” and to substitute “**sentenced offender**”.

CLAUSE 43

1. On page 14, in line 4, to omit “[**A sentenced prisoner**] An” and substitute “A sentenced [**prisoner**]”.
2. On page 14, in line 7, to omit “an”, and substitute “a sentenced”.
3. On page 14, in line, 10 to omit “[**sentenced prisoners**]” and substitute “sentenced [**prisoners**]”.
4. On page 14, in line 12, to omit “officer” and substitute “[**officer**] practitioner”.
5. On page 14, in line 13, to omit “an” and substitute “a sentenced”.

CLAUSE 44

1. On page 14, in line 20, to omit “No unsentenced [**prisoner**] offender or awaiting trial detainee”, and to substitute “No [**unsentenced prisoner**] person who is awaiting trial or sentence”.
2. On page 14, in line 22, to omit “unsentenced offender’s or awaiting trial detainee’s”, and to substitute “person’s”.
3. On page 14, from line 24, to omit “unsentenced offender or awaiting trial detainee”, and to substitute “he or she”.

CLAUSE 45

1. On page 14, in line 31, to omit “inmates” and substitute “sentenced offenders”.
2. On page 14, from line 39, to omit “or when they no longer pose a threat to society or the law.”

CLAUSE 46

1. On page 14, in line 46, after “[**prisoners**]”, to insert “sentenced”.

CLAUSE 47

1. On page 15, in line 5, to omit “[**a court**] the Minister” and substitute “a court”.
2. On page 15, from line 10, to omit paragraph (b).
5. On page 15, in line 17, to omit “person concerned”, and to substitute “sentenced offenders”.
6. On page 15, from line 21, to omit paragraph (e).
7. On page 15, from line 27, to omit:

“(k) refrains from [**using or**] abusing alcohol or using illegal drugs” and to substitute:
 “(k) refrains from using [**or abusing**] alcohol or illegal drugs”.
8. On page 16, in line 28, to omit “and”.
9. On page 16, after line 28, to insert the following:

“(g) by the substitution in subsection (1) for paragraph (q) of the following paragraph:
 “(q) in the case of a child, is subject to the additional conditions as contained in section 69[.] ; or”.

CLAUSE 48

1. On page 15, line 33, to omit “**offender**” and to substitute “**sentenced offender**”.

CLAUSE 49

1. On page 15, line 40, to omit “offender” and to substitute “inmate”.

CLAUSE 50

Clause rejected.

CLAUSE 52

1. On page 16, in line 3, to omit “[Use, or abuse] **Abuse of alcohol or use of illegal drugs**”, and to substitute “Use [or abuse] of alcohol or illegal drugs”.
2. On page 16, from line 4, to omit “[used or] abused alcohol or used illegal” and to substitute “used [**or abused**] alcohol or illegal”.

CLAUSE 53

1. On page 16, in line 13, after “The”, to insert “National”.

CLAUSE 54

1. On page 16, from line 19, to omit “[**Correctional Supervision and Parole Board**]” and to substitute “Correctional Supervision and Parole Board”.

CLAUSE 56

1. On page 16, in line 46, to omit the “an” and substitute with “a sentenced”.
2. On page 16, in line 48, to omit “an” and substitute “a sentenced”.
3. On page 16, in line 51, after “[**prisoner**]”, to insert “sentenced”.
5. On page 16, in line 52, to omit “officer”, and to substitute “[**officer**] practitioner”.
6. On page 17, in line 3, to omit “officer”, and to substitute “[**officer**] practitioner”.
7. On page 17, in line 4, to omit “[**A sentenced prisoner**] An”, and to substitute “A sentenced [**prisoner**]”.
8. On page 17, in line 9, to omit “an” and to substitute “a sentenced”.
9. On page 17, in line 15, to omit “An” and to substitute “A sentenced”.
10. On page 17, in line 19, to omit “an” and to substitute “a sentenced”.
11. On page 17, in line 26, to omit “an” and to substitute “a sentenced”.
12. On page 17, in line 28, after “[**prisoner**]”, to insert “sentenced”.
13. On page 17, from line 32, to omit “Minister, in consultation with the National Council and”, and to substitute “National Council”.
14. On page 17, in line 34, after “73A” to insert “and after having been ratified by the Minister.”.
15. On page 17, from line 41, to omit “Minister, in consultation with the National Council and”, and to substitute “National Council.”.
16. On page 17, in line 43, after “73A”, to insert “and after having been ratified by the Minister.”.
17. On page 17, from line 54, to omit “Minister, in consultation with the National Council and”, and to substitute “National Council.”.

18. On page 17, in line 56, after “73A”, to insert “and after having been ratified by the Minister.”.
19. On page 18, from line 1, to omit “Minister in consultation with the National Council and”, and to substitute “National Council.”.
20. On page 18, in line 3, after “73A”, to insert “and after having been ratified by the Minister.”.
21. On page 18, from line 7, to omit “Minister in consultation with the National Council and”, and to substitute “National Council.”.
22. On page 18, in line 9, after “73A”, to insert “and after having been ratified by the Minister.”.
23. On page 18, from line 12, to omit “Minister in consultation with the National Council and”, and to substitute “National Council.”.
24. On page 18, in line 14, after “73A”, to insert “and after having been ratified by the Minister.”.
25. On page 18, from line 23, to omit “Minister in consultation with the National Council and”, and to substitute “National Council.”.
26. On page 18, in line 25, after “73A”, to insert “and after having been ratified by the Minister.”.
27. On page 18, from line 36, to omit “Minister in consultation with the National Council and”, and to substitute “National Council.”.
28. On page 18, in line 38, after “73A”, to insert “and after having been ratified by the Minister.”.
29. On page 18, from line 40, to omit “, unless [the court has directed otherwise]”, and to substitute “[**unless the court has directed otherwise**]”.
30. On page 18, in line 41, to omit “such sentence”, and to substitute “: Provided that the sentence contemplated in subparagraph (i)”.

CLAUSE 57

1. On page 18, from line 47, to omit “The Minister must, in consultation with the National Council, by notice in the Gazette”, and to substitute “The National Council must, in the manner prescribed by the regulations made in terms of section 134(1)(kI), and in consultation with the National Commissioner.”.
2. On page 18, in line 51, after “framework”, to insert “and after having been ratified by the Minister”.
3. On page 18, in line 55, after “all” to insert “sentenced”.
4. On page 18, in line 58, to omit “an”, and to substitute “a sentenced” before “offender”.

CLAUSE 59

1. On page 19, in line 26, after “[**offender**]”, to insert “sentenced”.
2. On page 19, in line 32, after “[**offender**]”, to insert “sentenced”.

3. On page 19, in line 36, after “[**offender**]”, to insert “sentenced”.
4. On page 19, in line 49, after “any”, to insert “sentenced”.
5. On page 19, in line 56, to omit “an”, and substitute “a sentenced”.
6. On page 20, from line 3, to omit “Inspector General for Correctional Services”, and to substitute “Inspecting Judge”.
7. On page 20, in line 8, to omit “**offender**” and to substitute “**sentenced offender**”.

CLAUSE 61

1. On page 20, from line 19, to omit “Inspector General for Correctional Services”, and to substitute “Inspecting Judge”.
2. On page 20, in line 20, to omit “inmate”, and to substitute “sentenced offender”.

CLAUSE 62

1. On page 20, in line 30, to omit “an offender”, and to substitute “a person”.
2. On page 20, in line 36, after “[**prisoner**]”, to insert “sentenced”.

CLAUSE 63

1. On page 21, from line 7, to omit “and is considered by the Correctional Supervision and Parole Board or, in the case of person serving life sentence, by the Minister, as not being capable of committing a crime in future”.

CLAUSE 64

1. On page 21, in line 17, to omit “an”, and to substitute “a sentenced”.
2. On page 21, in line 18, to omit “an”, and to substitute “a sentenced”.
3. On page 21, in line 22, after “[**prisoner**]”, to insert “sentenced”.

CLAUSE 65

1. On page 21, in line 31, after “[**prisoner**]”, to insert “sentenced”.
2. On page 21, in line 31, after “[**prisoners**]”, to insert “sentenced”.
3. On page 21, in line 35, after “[**prisoners**]”, to insert “sentenced”.

CLAUSE 66

1. On page 21, in line 41, to omit “[**sentenced prisoner**]”, and to substitute “sentenced [**prisoner**]”.
2. On page 21, in line 43, after “[**prisoner**]” to insert “sentenced”.
3. On page 21, in line 44, to omit “an offender”, and to substitute “a person”.

4. On page 21, in line 45, after, to omit “an” and to substitute “a sentenced”.

CLAUSE 67

1. On page 21, from line 48, to omit “paragraph (a) of the following paragraph” and to substitute “paragraphs (a) and (h) of the following paragraphs”.
2. On page 21, in line 52, to omit “; and”.
3. On page 21, after line 52, to insert:

“(b) two or more persons not in the full-time service of the State; and”.

4. On page 21, after line 52, to insert the following:

(b) by the insertion in subsection (2) after paragraph (h) of the following paragraph:

“(i) two or more persons who are members of Parliament appointed as representatives of the public after consultation with the relevant Parliamentary Committees on Correctional Services.”.

CLAUSE 68

1. On page 22, from line 8, to omit “[**JUDICIAL INSPECTORATE**] **OFFICE OF THE INSPECTOR-GENERAL**”, and to substitute “**JUDICIAL INSPECTORATE**”.

CLAUSE 69

1. On page 22, from line 12, to omit “[**Judicial Inspectorate**] **Office of the Inspector-General**” and to substitute “**Judicial Inspectorate**”.
2. On page 22, from line 14, to omit “[**Judicial Inspectorate of prisons**] **Office of the Inspector-General**”, and to substitute “**Judicial Inspectorate [of prisons]**”.
3. On page 22, from line 16, to omit “[**Inspecting Judge**] **Inspector-General for Correctional Services**”, and to substitute “**Inspecting Judge**”.
4. On page 22, from line 18 to omit “[**Judicial Inspectorate**] **Office of the Inspector-General**” and to substitute “**Judicial Inspectorate**”.
5. On page 22, from line 20, to omit “[**Inspecting Judge**] **Inspector-General for Correctional Services**” and to substitute “**Inspecting Judge**”.

CLAUSE 70

Clause rejected.

CLAUSE 72

Clause rejected.

NEW CLAUSE

1. That the following be the new clause:

Insertion of section 88A in Act 111 of 1998

73. The following section is hereby inserted in the principal Act after section 88:

“Appointment of the Chief Executive Officer

88A. (1) The National Commissioner must, on the recommendation of the Inspecting Judge and in consultation with the Director-General of the Department of Public Service and Administration, appoint a suitably qualified and experienced person as Chief Executive Officer, who—

(a) is responsible for all administrative, financial and clerical functions of the Judicial Inspectorate;

(b) is accountable to the National Commissioner of the Department for all the monies received by the Judicial Inspectorate; and

(c) is under control and authority of the Inspecting Judge.

(2) The conditions of service, including salary and allowances of the Chief Executive Officer are regulated by the Public Service Act.

(3) Any matters relating to the work performance of the Chief Executive Officer must be referred to the National Commissioner by the Inspecting Judge.”.

CLAUSE 73

Clause rejected.

NEW CLAUSE

1. That the following be the new clause:

Substitution of section 89 of Act 111 of 1998, as amended by section 32 of Act 32 of 2001

74. The following section is hereby substituted for section 89 of the principal Act:

“Appointment of staff and Assistants

89. (1) The Chief Executive Officer must appoint staff as may be necessary to enable the Judicial Inspectorate for Correctional Services to perform its functions in terms of this Act.

(2) The conditions of service including salaries and allowances of such staff are regulated in terms of the Public Service Act.

(3) (a) The Chief Executive Officer must appoint one or more persons with legal, medical, penological or any other expertise as assistants and as may be required by the Inspecting Judge from time to time, to assist the Inspecting Judge with any specialised aspect of inspection or investigation.

(b) Such persons must be appointed for a fixed period or until the completion of a specific task.

(c) The remuneration of such persons must be determined in accordance with the Public Service Act.

(d) Such persons must perform such functions as authorised and directed by the Inspecting Judge.”.

CLAUSE 74

1. On page 23, from line 22, to omit paragraphs (a) and (b), and to substitute the following paragraph:
 - (a) by the substitution for subsection (3) of the following subsection:

“(3) the Inspecting Judge must submit a report on each inspection to the Minister and the relevant Parliamentary Committees on Correctional Services.”; and”.

CLAUSE 75

1. On page 23, in line 37, to omit “The [**Inspecting Judge**]”, and to substitute, “At the request of and in consultation with [The] the Inspecting Judge, the”.
2. On page 23, in line 43, to omit “after” and to substitute “in”.

CLAUSE 76

1. On page 24, in line 6, to omit “offenders”, and to substitute “inmates”.

CLAUSE 79

1. On page 25, from line 17, to omit “Inspector-General for Correctional Services” and to substitute for “Inspecting Judge”.

CLAUSE 81

1. On page 25, in line 45, to omit “persons”, and to substitute “[**persons**] sentenced offenders”.

CLAUSE 84

1. On page 26, in line 36, to omit “**offender or offenders**”, and to substitute “**sentenced offender or sentenced offenders**”.

CLAUSE 85

1. On page 26, in line 39, to omit “**offender or offenders**”, and to substitute “**sentenced offender or sentenced offenders**”.

CLAUSE 94

1. On page 27, in line 31, after “prescribed”, to insert “sentenced”.

CLAUSE 95

1. On page 27, in line 40, after “[**prisoner**], to insert “sentenced”.

CLAUSE 96

1. On page 28, in line 7, after “[**prisoners**], to insert “sentenced”.
2. On page 28, in line 32, to omit “**offender**”, and to substitute “**sentenced offender**”.

3. On page 28, after line 39, to insert the following:
 - (n) by the insertion after paragraph (kkH) of the following paragraph:

“(kkI) the minimum periods for which sentenced offenders must be incarcerated before being considered for placement under community corrections, as contemplated in section 73A: Provided that the Minister must submit these regulations and any subsequent amendments thereto to the relevant Parliamentary Committees on Correctional Services for approval.”.

CLAUSE 98

1. On page 29, in line 17, to omit “correctional medical officer”, and to substitute “correctional medical practitioner”.
2. On page 29, in line 21, to omit “offender”, and to substitute “sentenced offender”.
3. On page 29, in line 22, to omit “offenders”, and to substitute “sentenced offenders”.

NEW CLAUSE

1. That the following be the new clause.

On page 28, after line 56, to insert the following:

“Transitional provision

98. The amendments effected by the Correctional Services Amendment Act, 2007, must with the necessary changes to the context apply to all life sentences imposed since 1 October 2004.”.

CLAUSE 99

1. On page 29, in line 24, after “Short title”, to insert “and commencement”.
2. On page 29, in line 25, to omit “97” and to substitute “99(1)”.
3. On page 29, in line 25, after “2007”, to insert “and comes into operation on a date fixed by the President by proclamation in the *Gazette*”.
4. On page 29, after line 25, to insert the following:

“(2) Different dates may be fixed under subsection (1) in respect of different provisions of this Act.

(3) Commencement date for sections 73 and 73A must be fixed after the regulations contemplated in section 134 (1) (kkI) have been made, approved by the relevant Parliamentary Committees on Correctional Services and published in the *Gazette*.”.