

Annexure A

PGK 5  
M/10/1/2/11

DEPARTMENT OF JUSTICE  
REPUBLIC OF SOUTH AFRICA

DEPARTMENT OF JUSTICE

The Director  
Magistrate Services  
Private Bag 2136  
PRETORIA  
0001

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...  
...  
...  
...

000-01-1

STANDING DISPOSAL AUTHORITY 1986, PART 1.6, 1.11 AND  
1.567 IN OFFICES OF THE ATTORNEY GENERAL, ANNEXURE A  
ANNEXURE 19 OF THE CODE OF PRACTICE, 1986, 1.11/2/11  
DATED 22 JANUARY 1986

A COPY OF ANNEXURE B OF THE CODE OF PRACTICE, AS ATTACHED, IS  
ATTACHED.

*[Signature]*  
DIRECTOR-GENERAL: JUSTICE

*[Signature]*

ng/kode4

ANNEXURE B.

(Compare paragraph 14)

LIST OF RECORDS IN OFFICES OF ATTORNEYS-GENERAL FOR THE DISPOSAL OF WHICH AUTHORITY HAS BEEN OBTAINED.

Form No.	Description of record, register or form.	Disposal.	Authority.
-	Preparatory examinations: Copies of	See paragraph 16.	-
J.567	Preparatory examination record book	D.7	14-S33 dated 22.1.86 "W"
-	Register and index of circulars issued to public prosecutors	D.10	10/2/11 dated 11.8.54
J.110	Register of appeals	D.7	14-S33 dated 22.1.86 "W"
J.107	Register of criminal cases maintained by the State prosecutor	A.30	10/2/11 dated 11.8.54
J.46	Register of inquests	D.7	14-S33 dated 22.1.86 "W"
-	Register of insolvent estates	A.30	10/2/11 dated 11.8.54
J.138	Register of mental patients	D.10	10/2/11 dated 11.8.54
-	Register of review cases	A.30	10/2/11 dated 11.8.54

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J D Bodal

M 10/1/2/11

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Pretoria 0001

22 -01- 1988

The Director-General  
Department of Justice  
Private Bag X81  
PRETORIA  
0001

STANDING DISPOSAL AUTHORITY 14-S33 : FORMS J 46, J 110 AND J 567 IN OFFICES OF THE ATTORNEYS-GENERAL : AMENDMENT TO ANNEXURE "B" OF THE CODE "ARCHIVES"

Your ref. 7/2/3 "Archives" of 1985-10-28

1. Standing Disposal Authority is granted hereby to amend the disposal instructions on forms J 46, J110 and J567, set out in annexure "B" of the Code "Archives", from A30 to D, as was proposed by the Transvaal Attorney-General in his minute 3/4/4 of 1985-09-24 to you. The amendment applies of course to all offices of Attorneys-General.
2. The Transvaal Attorney-General has proposed a D7 retention period, but I shall be grateful if you will let me know what retention period is decided upon, and let me have a copy of the duly amended Code "Archives". As my copy is rather outdated, I shall be glad to receive the latest complete version.
3. ~~Kindly quote the disposal authority reference 14-S33 in all relevant correspondence, in your Code "Archives", and on the destruction certificates you are required to furnish this office whenever archives are destroyed in terms of this authority.~~

  
 B. Gericks  
 op DIRECTOR : GOVERNMENT ARCHIVES SERVICE

/uv

DIREKTEUR VAN ARGIEWE  
 BESKIKKING SOOS VOORGESKIED WORD  
 AANBEVEEL:

*Provisie verbod*

*[Signature]*

HOOF: KONTEMPORÊRE ARGIEWE

HOOF: KONTEMPORÊRE ARGIEWE  
 BESKIKKING SOOS AANBEVEEL WORD:

AFGEKEUR G. E. GEKEUR

*[Signature]*

*1985/10/12*

DIREKTEUR VAN ARGIEWE

DEPARTMENT OF JUSTICE: OFFICE OF THE ATTORNEY-GENERAL OF THE  
TRANSVAAL: APPLICATION TO AMEND CERTAIN A30 DISPOSALS OF OTHER  
ARCHIVES SPECIFICALLY DESIGNATED A30 FOR ATTORNEYS-GENERAL OFFICES  
BY CODE ARCHIVES

RECOMMENDATION: That the disposal be altered to D with the proviso that where the Attorney-General's records differ from Magistrate's records (as in appeals), the Magistrate's records be supplemented with the additional information before the A.G.'s records are destroyed.

BACKGROUND: In his minute 7/2/3 "Archives" of 1985-10-28 the Director-General Justice forwarded a request by the Attorney-General of the Transvaal for the disposal instructions applicable to his office for the Register of Inquests, Register of Appeals and Preparatory Examination Record Book to be reduced from A30 to D7.

REPORT: The Attorney-General has a strong case to put forward when he remarks that "The Attorney-General's Office is not an office of record" The registers are in use merely to keep track of cases to be prosecuted and their outcome, whereas the source of the information is the registers of the courts themselves. The Attorney-General has no judicial executive function comparable with a Magistrate or Judge; his function is limited to a decision to prosecute or not, and the administration in so doing. This is recognised

in the Code Archives, which states, for example, that typed copies of Preparatory Examinations (page 14) shall receive the same disposal as the file, and according to Code Concordance the file (1/5/3) receives a B3 disposal.

Since the Attorney-General's Office is not the executive authority of the judicial arm of the government, his documents are of course inferior (inasmuch as they are not the original but duplicates) and there is no real justification for the retention of a set of registers duplicating those of an Office of Record.

However, in certain respects the Attorney-General's records are more complete, and it is recommended that destruction of his records be allowed once the additional information (e.g. results of reports from magistrates' court cases) has been transferred to the originals of the Office of Record.

With this proviso, it is recommended.

J. D. Bodel. SENIOR ARCHIVIST, CONTEMPORARY ARCHIVES. 1986 01-15

I concur

A. J. de Vries CHIEF ARCHIVIST, CONTEMPORARY ARCHIVES. 1986 01-16

Nota: Het idee hiervoor is alreeds in verloop van handdoekhouder. Heten. sublaar van afhelle aan in Register J117 niet in BM van VSD

Als moet nieuw hyl en so die gegevens in draagregte ontwerp moet deeltie dach na A30 gewyng wael. Volg op.

M10112/10

MS

DEPARTEMENT  
VAN JUSTISIE



DEPARTMENT  
OF JUSTICE

REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA

The Director of Archives  
Private Bag X236  
PRETORIA  
0001

Veritasgebou/Veritas Buildings,  
Privaatsak/Private Bag X81, Pretoria, 0001.  
Justisie/Justice  
28 2923 x 314 Mej E Wehmeyer

Verwysing/Reference  
7/2/3 "Archives"  
1985-10-28

DISPOSAL INSTRUCTIONS FOR FORMS J.46, J.110 AND J.567: ANNEXURE "B" TO THE CODE "ARCHIVES"

Copies of minute 3/4/4 dated 24 September 1985 and annexures received from the Attorney-General: Transvaal, are attached for your comments please.

*[Signature]*  
DIRECTOR-GENERAL: JUSTICE

*Mr De Vreede*

*Bekyk & keppel ✓*  
*[Signature]*

*Mes. Hedya Pretorius*

*Via registrasie en  
toewysing aan mnr  
Bodde asb.*

*[Signature]*

*Mr. Bodde*

*Word by handboste se  
rekords gedupliceer.  
Vermetigingsmagtigings  
of versoekende dat  
die handboste se rekords  
ook gewysig word wanneer  
A. d. d. ...*

Fig briewe aan Direkteur-generaal Justisie

Address letters to Director-General Justice

Telefoon } No. 3253780  
Telephone }  
Telegrafiese adres }  
Telegraphic address }  
Navrae }  
Inquiries }



By beantwoording meld  
In reply please quote

No. 3/4/4

DEPARTEMENT VAN JUSTISIE • DEPARTMENT OF JUSTICE  
REPUBLIEK VAN SUID AFRIKA • REPUBLIC OF SOUTH AFRICA


IN DUPLICATE

The Director-General:  
Justice  
Private Bag X81  
PRETORIA  
0001

KANTOOR VAN DIE PROKUREUR-GENERAAL  
OFFICE OF THE ATTORNEY-GENERAL  
PRIVATE BAG X300  
PRETORIA 0001  
24 September 1985

DISPOSAL INSTRUCTIONS FOR FORMS J.46, J.110 AND J.567  
Annexure "B" to the code "Archives"

- === 1. For easy reference, I attach a copy of a page taken from each of forms J.46 (Register of Inquests), J.110 (Register of Appeals) and J.567 (Preparatory Examination Record Book/"section 119" Register) marked "A", "B" and "C" respectively.
- 2. I am of the opinion that the disposal instruction of A.30 for these registers is unnecessary and suggest that it be altered to D.7.
- 3. Form J.46 is prescribed by paragraph 14(b) of the code "Garegtelike Doodsondersoeke". It is a record of the records of inquest proceedings received at this office. It serves as a control register only.
- 4. Forms J.110 and J.567 are not explicitly prescribed. In this office they are used only for administrative purposes to maintain control of the cases and NOT as a record, as, for example, the Criminal Record Book in the Magistrates' offices. The Attorney-General's office is not an office of record and all the information contained in these registers that may be of interest to any person, i.e. the results of trials and appeals, is "second hand", in that it is recorded in abbreviated form from the notes of Counsel for the State, whilst such information is readily available "first hand" in the offices of the Magistrates and Registrars.

  
D.B. Brunette S C  
ATTORNEY-GENERAL: TRANSVAAL

(Compare paragraph 14)

ANNEXURE B.

LIST OF RECORDS IN OFFICES OF JUDICIAL COMMISSIONERS  
FOR THE DISTRICTS OF DELHI AGRIKULKA & JALANDHAR  
CONTAINED.

Form No.	Description of record, register or form.	Serial	Authority.
-	Preparatory examination: Cases of	A.10	"
→ J. 567	Preparatory examination: Cases of	A.11	10/3/11 dated 11.3.54
-	Register and Index of certificates issued to public prosecutors	A.12	10/3/11 dated 11.3.54
→ J. 110	Register of appeals	A.13	10/3/11 dated 11.3.54
J. 107	Register of original cases and appeals allowed by the State government	A.14	10/3/11 dated 11.3.54
→ J. 48	Register of Inquests	A.15	10/3/11 dated 11.3.54
-	Register of insolvent estates	A.16	10/3/11 dated 11.3.54
J. 106	Register of mental patients	B.10	10/3/11 dated 11.3.54
-	Register of review cases	A.30	10/3/11 dated 11.3.54