

All regional courts to adjudicate civil disputes

Justice Minister Ronald Lamola has announced an increase in regional courts that will adjudicate civil disputes as of December 2020.



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Until recently, regional courts heard more serious criminal offences and civil disputes including divorce matters.

In terms of the Magistrates Court Act, the Minister of Justice and Correctional Services, with effect from 1 December 2020, appointed every regional court as a place for the holding of a civil court.

The places so listed for the holding of a court for the adjudication of civil disputes are set out in Government Gazette 43861, 30 Oct 2020.

“Up until the end of November only a few of the regional courts could hear civil matters,” said the Ministry of Justice and Correctional Services.

“Prior to this change being made, people often had to travel long distances, and at great expense, to litigate and be able to access civil law services offered by the regional courts, including having their applications for divorce heard,” said the

ministry on Tuesday.

Now with the publication of the seats in the Gazette, people may access these services closer to where they live.

With the appointment of more seats, divorce matters and civil disputes such as those involving immovable property under a low price range - such as RDP houses - can be heard closer to where people live.

“Many of the seats are in the historically Black areas and rural villages. As an example, in the former Transkei area of the Eastern Cape, persons would have had to travel to Mthatha for their divorces to be heard. With the new changes, they can now go to any of the 25 Regional Courts spread around the region. There are, in total, 72 proclaimed civil regional court seats across the Eastern Cape province.”

Similarly, in the Southern Cape, for example, where persons would have needed to travel to George to get divorced, they can now go to Heidelberg, Mossel Bay, Oudtshoorn, Plettenberg Bay, Riversdale, Swellendam, Thembalethu or Uniondale to access civil law services.

There are 32 seats in the Western Cape to serve the population in the province.

Of further importance, is that the shortened distances will also reduce the cost of the sheriffs exponentially, as fees payable to serve court process will be calculated from the proclaimed areas and no longer from the main court in the city or town.

“Regional courts are vital to ensure access to justice. Enhancing access to justice means taking the courts closer to the people which, in turn, minimizes costs and inconvenience when matters are to be heard. By establishing these civil seats, we are taking justice to the door steps of peoples’ homesteads,” said the Minister.

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