

FREE STATE HIGH COURT, BLOEMFONTEIN
REPUBLIC OF SOUTH AFRICA

Review No.: 393/2011

In the review between:-

THE STATE

and

KENNETH THEKISO

CORAM: VAN DER MERWE, J *et* VAN ZYL, J

JUDGMENT BY: VAN DER MERWE, J

DELIVERED ON: 8 DECEMBER 2011

[1] Apparently due to an administrative error, an amount of R100,00 (one hundred rand) was paid as an admission of guilt in respect of driving a motor vehicle on a public road without keeping a driver's licence in the vehicle, in contravention of section 12(b) of Act 93 of 1996. The prosecutor had, however, determined a fine of R50,00 (fifty rand) in terms of sections 57(4) of Act 51 of 1977.

[2] In the result the deemed sentence of R100,00 (one hundred rand) is set aside and replaced with the sentence of R50,00

(fifty rand) and it is ordered that the amount of R50,00 (fifty rand) be repaid to the accused.

C.H.G. VAN DER MERWE, J

I agree.

C. VAN ZYL, J

/sp