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IN THE HIGH COURT OF SOUTH AFRICA
(NORTH GAUTENG HIGH COURT, PRETORIA)

[illegible]

REVIEW JUDGMENT

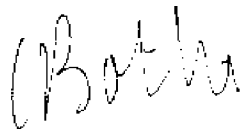
The magistrate referred the matter for special review because it occurred to him that he may have erred in convicting the accused as he did. It seems to me that the magistrate's doubts revolved round the reference to the offence of trespass without any reference to its statutory basis.

The state advocates, in their helpful memorandum, have demonstrated that the accused was correctly found guilty but that the conviction should have contained a reference to section 1(i) of the Trespass Act, 1959 (Act 6 of 1959).

I also agree that the sentence is appropriate.

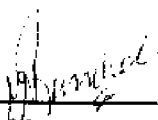
The following order is made:

1. The conviction is confirmed as a conviction of housebreaking with the intent to be on the premises broken into without permission in contravention of Section 1(1) of the Trespass Act, 1959 (Act 6 of 1959).
2. The sentence is confirmed.



C BOTHA
JUDGE OF THE HIGH COURT

I agree



N RANCHOD
ACTING JUDGE OF THE HIGH COURT