REGISTRAR'S DISCRETION IN TERMS OF ADMINISTRATIVE LAW INCLUDING REDOING OF DECISION

• INTRODUCTION

• THE REGISTRAR'S DISCRETION

Statutory overview

Degrees of discretion

- Confined discretion
- Structured discretion
- Unstructured discretion

REGISTRAR'S DISCRETION IN TERMS OF ADMINISTRATIVE LAW INCLUDING REDOING OF DECISION

- The Registrar's subjective discretion
 - Subjective discretion pre-1994
 - Subjective discretion under the Constitution
- Constraints on the Registrar's subjective discretion: a summary
 - Constraints from the empowering legislation
 - Constraints from the Constitution and PAJA
 - Reasonableness and judicial deference
 - Compliance with procedural jurisdictional facts
 - The purpose and scheme of the PF Act
- The Registrar's power to make subordinate legislation
- The appeal to the FSB

REGISTRAR'S DISCRETION IN TERMS OF ADMINISTRATIVE LAW INCLUDING REDOING OF DECISION

- THE "REDOING OF DECISIONS"
 - The functus officio principle
 - Statutory authority to reverse, undo or alter decisions
 - The Registrar's power to approach the Court