

REPUBLIC OF SOUTH AFRICA

**PORTFOLIO COMMITTEE AMENDMENTS
TO**

**CONSTITUTION OF THE
REPUBLIC OF SOUTH AFRICA
SECOND AMENDMENT BILL**

[B 17—2002]

*(As agreed to by the Portfolio Committee on Justice and Constitutional Development
(National Assembly))*

[B 17A—2002]

ISBN 0 621 32200 8

No. of copies printed800

AMENDMENTS AGREED TO

CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA SECOND AMENDMENT BILL [B 17—2002]

PREAMBLE

1. On page 2, in the thirteenth line, after “party” to insert:
 , or to subdivide and any one of the subdivisions to merge with another party,
2. On page 2, in the sixteenth line, after the second “parties” to insert:
 or subdivision and merger of parties

CLAUSE 1

Clause rejected.

NEW CLAUSES

1. That the following be new Clauses:

Amendment of section 61 of Act 108 of 1996

1. Section 61 of the Constitution of the Republic of South Africa, 1996, is hereby amended by the substitution for subsection (2) of the following subsections:

“(2) (a) A provincial legislature must, within 30 days after the result of an election of [a provincial] that legislature is declared [the legislature must]—

[(a)] (i) determine, in accordance with national legislation, how many of each party’s delegates are to be permanent delegates and how many are to be special delegates; and

[(b)] (ii) appoint the permanent delegates in accordance with the nominations of the parties.

(b) If the composition of a provincial legislature is changed on account of changes of party membership, mergers between parties, subdivision of parties or subdivision and merger of parties within that legislature, it must within 30 days after such change—

(i) determine, in accordance with the national legislation referred to in paragraph (a), how many of each party’s delegates are to be permanent delegates and how many are to be special delegates; and

(ii) appoint the permanent delegates in accordance with the nominations of the parties.”.

Amendment of section 62 of Act 108 of 1996

2. Section 62 of the Constitution of the Republic of South Africa, 1996, is hereby amended by the substitution for subsection (3) of the following subsection:

“(3) Permanent delegates are appointed for a term that expires—

(a) immediately before the first sitting of a provincial legislature after its next election; or

(b) on the day before the appointment of permanent delegates in accordance with section 61(2)(b)(ii) takes effect.”.

LONG TITLE

Long Title rejected.

NEW LONG TITLE

1. That the following be a new Long title:

To amend the Constitution of the Republic of South Africa, 1996, in order to regulate the allocation of delegates to the National Council of Provinces in the event of changes of party membership, mergers between parties, subdivision of parties or subdivision and merger of parties within a provincial legislature; and to provide for matters connected therewith.