

REPUBLIC OF SOUTH AFRICA

**COUNCIL OF TRADITIONAL
LEADERS AMENDMENT BILL**

(As introduced in the National Assembly)

(INKOSI M W HLENGWA)

[B 54—98]

REPUBLIEK VAN SUID-AFRIKA

**WYSIGINGSWETSONTWERP OP
DIE RAAD VAN TRADISIONELE
LEIERS**

(Soos ingedien in die Nasionale Vergadering)

(INKOSI M W HLENGWA)

[W 54—98]

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GENERAL EXPLANATORY NOTE:

- [] Words in bold type in square brackets indicate omissions from existing enactments.
- Words underlined with a solid line indicate insertions in existing enactments.
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BILL

To amend the Council of Traditional Leaders Act, 1997, so as to change the name of the Council of Traditional Leaders to the National House of Traditional Leaders; and to provide for matters connected therewith.

BE IT ENACTED by the Parliament of the Republic of South Africa, as follows:—

Amendment of section 1 of Act 10 of 1997

1. Section 1 of the Council of Traditional Leaders Act, 1997 (hereafter referred to as the principal Act), is hereby amended— 5
- (a) by the deletion of the definition of “Council”; and
 - (b) by the insertion of the following definition after the definition of “House”:
 “ ‘National House’ means the National House of Traditional Leaders established by section 2(1);”.

Amendment of section 2 of Act 10 of 1997 10

2. Section 2 of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection:
- “(1) There is hereby established a **[council to be known as the Council]** National House of Traditional Leaders.”.

Substitution of section 16 of Act 10 of 1997 15

3. The following section is hereby substituted for section 16 of the principal Act:

“Short title

16. This Act shall be called the **[Council]** National House of Traditional Leaders Act, 1997.”.

Substitution of certain word in Act 10 of 1997

4. The principal Act is hereby amended by the substitution for the word “Council”, wherever it occurs, except in section 15, of the words “National House”.

Short title

5. This Act shall be called the Council of Traditional Leaders Amendment Act, 1998. 5

**MEMORANDUM ON THE OBJECTS OF THE COUNCIL OF
TRADITIONAL LEADERS AMENDMENT BILL, 1998**

The Bill emanates from a legislative proposal that was submitted in terms of Rule 168 of the Standing Rules for the National Assembly.

On 11 March 1998 the Portfolio Committee on Private Members' Legislative Proposals and Petitions recommended that the proposal be accepted.

The object of the Bill is to clarify any confusion that may result from the provincial institutions for traditional leadership being called "Houses of Traditional Leaders" and the national institution being called "Council of Traditional Leaders". Consequently, it is being proposed that the name of the national institution be changed to the "National House of Traditional Leaders".

Parliamentary procedure

Since "traditional leadership" is a functional area of concurrent national and provincial legislative competence in terms of Schedule 4 to the Constitution, the Bill must be dealt with in accordance with the procedure prescribed by section 76 of the Constitution.