

REPUBLIC OF SOUTH AFRICA

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**PORTFOLIO COMMITTEE AMENDMENTS  
TO  
SOUTH AFRICAN  
GEOGRAPHICAL NAMES  
COMMISSION BILL**

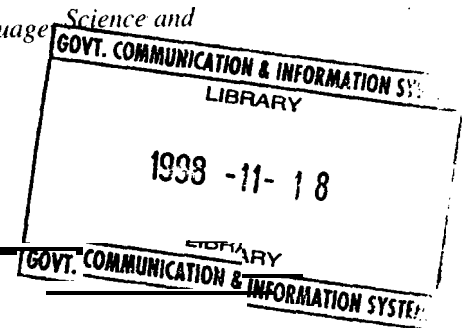
[B 112—98]

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*(As agreed to by the Portfolio Committee on Arts, Culture and Language  
Technology (National Assembly))*

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[B 112A—98]



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REPUBLIEK VAN SUID-AFRIKA

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**PORTEFEULJEKOMITEE-AMENDEMENTE  
OP  
WETSONTWERP OP DIE  
KOMMISSIE VIR SUID-  
AFRIKAANSE GEOGRAFIESE  
NAME**

[W 112-98]

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*(Soos goedgekeur deur die Portefeuljekomitee oor Kuns, Kultuur en Taal, Wetenskappe  
Tegnologie (Nasionale Vergadering))*

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[W 112A—98]

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## AMENDMENTS AGREED TO

### SOUTH AFRICAN GEOGRAPHICAL NAMES COMMISSION BILL [B 112-98]

#### CLAUSE 1

1. On page 2, in line 20, to omit the definition of “Commission” and to substitute:

(i) “Council” means the South African Geographical Names Council, established by section 2(1);

2. On page 2, in line 24, to omit “feature on earth” and to substitute:

terrestrial feature within the territorial limits of the Republic, together with the area of jurisdiction of the Republic acquired by treaty

#### CLAUSE 2

1. On page 4, after line 4, to insert the following paragraph:

(a) to facilitate the establishment of Provincial Geographical Names Committees;

2. On page 4, from line 5, to omit all the words after “names” up to and including “treaty” in line 7.

3. On page 4, after line 7, to insert the following paragraph:

(c) to facilitate the transformation process for geographical names;

#### CLAUSE 3 .

1. On page 4, in line 15, to omit “not” and to substitute “no fewer than 15 and no”.

2. On page 4, in line 21, to omit subparagraph (iii).

3. On page 4, in line 22 to omit subparagraph (iv).

4. On page 4, from line 25, to omit subsection (2) and to substitute:

(2) Members of the Council other than those referred to in subsection (1)(u) and (b) must be appointed by the Minister in the prescribed manner, and the regulations prescribing the manner of appointment must apply the principles of transparency and representivity and must take into account—

(a) special competence, experience and interest in the relevant fields; and

(b) the linguistic, cultural and demographic characteristics of the population of the Republic.

5. On page 4, from line 28, to omit subsections (3), (4), (5), (6) and (7). “

#### CLAUSE 4

1. On page 4, from line 49, to omit subsection (4) and to substitute:

(4) The Minister must, in consultation with the Council, appoint one of the members as chairperson of the Council to serve for a renewable term of three years.

2. On page 4, in line 50, to omit subsection (5).

#### CLAUSE 5

Clause rejected.

#### CLAUSE 6

1. On page 6, from line 6, to omit subsection ( I ) and substitute:

(1) The Council may meet as often as necessary, but at least three times a year.

#### CLAUSE 7

Clause rejected,

#### NEW CLAUSE

1. That the following be a new Clause:

##### **Executive functions of Council**

**6. ( I )** The executive functions of the Council must be performed by a section established by the Director-General in terms of the Public Service Act, 1994 (Proclamation No. 103 of 1994).

(2) The functions of the section are to—

- (a) perform administrative and secretarial services; and
- (b) establish and maintain a research section and the necessary infrastructure, incorporating a computerised database, a library, reference material and document archives.

#### CLAUSE 8

Clause rejected.

#### NEW CLAUSES

1. That the following be new Clauses:

##### **Subcommittees of Council and other assistance**

**7. ( I )** The Council may appoint subcommittees not limited to its own members to perform work for the Council.

(2) The Council may delegate its powers and assign its duties to a subcommittee or to any other body.

(3) The Council is not absolved from exercising or performing any power or duty so delegated or assigned.

(4) Any delegated power or duty so exercised or performed is regarded to have been exercised or performed by the Council.

#### **Allowances of members of Council and subcommittees**

8. The Minister may, with the concurrence of the Minister of Finance, determine the allowances payable to members of the Council and any subcommittee it may establish who are not in the full-time employ of the State.

#### **CLAUSE 9**

1. On page 6, after line 40, to insert the following paragraphs:
  - (a) set guidelines for the operation of Provincial Geographical Names Committees;
  - (b) set standards and guidelines for local and provincial authorities in their respective areas of jurisdiction;
2. On page 6, from line 44, after “names” to insert “falling within the national competence”,
3. On page 8, from line 6, to omit paragraph (f) and to substitute:
  - (f) liaise with—
    - (i) notional and international organisations concerned with geographical names; and
    - (ii) cultural, historical and linguistic organisations.
4. On page 8, in line 8, to omit “subject to the approval of the Minister” and to substitute:
 

in consultation with the Minister and the Provincial Geographical Names Committees
5. On page 8, from line 12, to omit paragraphs (h) and (i).

#### **CLAUSE 10**

Clause rejected.

#### **NEW CLAUSE**

1. That the following be a new Clause:

#### **Approval and revision of geographical names**

10. (1) The Minister may approve or reject a geographical name recommended by the Council in terms of section 9(1)(d).

(2) A geographical name approved or rejected by the Minister in terms of subsection (1) must be published in the *Gazette*.

(3) Any person or body dissatisfied with a geographical name approved by the Minister may, within one month from the date of publication of the geographical name in the *Gazette*, lodge a complaint in writing to the Minister.

(4) The Minister may refer the complaint to the Council for advice whether or not to reject or amend a geographical name so approved.

(5) The Minister must inform the complainant of the decision on the complaint and the reasons for the decision.

## CLAUSE 12

Clause rejected.

## NEW CLAUSE

1. That (he following be a new Clause to follow Clause I I:

### **Regulations**

**12. (1)** The Minister must make regulations as to the criteria to be followed when deciding whether or not a geographical name should be regarded as a national, provincial or local competence.

(2) The Minister must make regulations regarding any matter referred to in section 3.

(3) The Minister may, after consultation with the Council, make regulations regarding—

- (a) any other matter which is required or permitted to be prescribed under this Act; and
- (b) generally, any matter which is necessary or expedient to be prescribed in order to achieve the objects of this Act.

(4) The regulations may provide that any person contravening any regulation or failing to comply therewith is guilty of an offence and liable on conviction to a penalty not exceeding that prescribed in the regulations.

## CLAUSE 13

Clause rejected.

## CLAUSE 14

- 1, On page 10, in line 5, to omit “Commission” and to substitute “Council”.

## LONG TITLE

1. On page 2, in the second line, to omit “Commission” and to substitute “Council”.
2. On page 2, in the third line, before “standardisation” to insert “transformation and”,