

REPUBLIC OF SOUTH AFRICA

**PORTFOLIO COMMITTEE AMENDMENTS
TO**

**GENERAL LAWS (LOSS OF
MEMBERSHIP OF NATIONAL
ASSEMBLY, PROVINCIAL
LEGISLATURE OR MUNICIPAL
COUNCIL) AMENDMENT BILL**

[B 64—2008]

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

[B 64A—2008]

ISBN 978-1-77037-370-9

No. of copies printed 800

AMENDMENTS AGREED TO

GENERAL LAWS (LOSS OF MEMBERSHIP OF NATIONAL ASSEMBLY, PROVINCIAL LEGISLATURE OR MUNICIPAL COUNCIL) AMENDMENT BILL

[B 64—2008]

ENACTING PROVISION

1. On page 2, from line 1, to omit “**BE IT ENACTED** by the Parliament of the Republic of South Africa, as follows:—” and to substitute “Parliament of the Republic of South Africa enacts as follows:—”.

CLAUSE 1

1. Clause rejected.

CLAUSE 2

1. Clause rejected.

NEW CLAUSE

1. That the following be a new Clause:

Amendment of section 5 of Act 103 of 1997, as amended by section 2 of Act 15 of 2005

1. Section 5 of the Public Funding of Represented Political Parties Act, 1997 (hereinafter referred to as the Funding Act), is hereby amended by the substitution for subsection (4) of the following subsection:

“(4) The allocation of moneys from the Fund to a political party will end when the party ceases [**qualifying therefor**] to qualify for it in terms of subsection (1)(a). [**Subject to section 6A, a**] A political party must within 21 days after the date on which it has so ceased to qualify, repay to the Commission the unspent balances, as at that date, of all moneys that had been allocated to it in terms of this section.”.

CLAUSE 5

1. Clause rejected.

CLAUSE 6

1. Clause rejected.

CLAUSE 7

1. Clause rejected.

NEW CLAUSE

1. That the following be a new Clause:

**Repeal of section 9A of Act 103 of 1997, as inserted by
section 7 of Act 15 of 2005**

4. Section 9A of the Funding Act is hereby repealed.

LONG TITLE

1. Long title rejected.

NEW LONG TITLE

1. That the following be a new Long Title:

To amend the—

- **Public Funding of Represented Political Parties Act, 1997, so as to—**
 - **make further provision for the accountability of political parties in respect of moneys allocated from the Represented Political Parties' Fund;**
 - **substitute a reference to an obsolete law; and**
 - **empower the Electoral Commission to appoint an auditor in certain circumstances; and**
- **Public Funding of Represented Political Parties Act, 1997, the Determination of Delegates (National Council of Provinces) Act, 1998, the Electoral Act, 1998, the Local Government: Municipal Structures Act, 1998, and the Local Government: Municipal Structures Amendment Act, 2002, so as to provide for matters consequential to the abolition of the right—**
 - **of a member of the National Assembly, a provincial legislature or a Municipal Council to become a member of another political party whilst retaining membership of the National Assembly, that provincial legislature or that Council; and**
 - **of an existing political party to merge with another political party, or to subdivide into more than one political party, or to subdivide and to permit any of the subdivisions to merge with another political party, whilst allowing a member of the National Assembly, a provincial legislature or a Council affected by such changes to retain membership of the National Assembly, that provincial legislature or that Council;**

and to provide for matters connected therewith.

Printed by Creda Communications

ISBN 978-1-77037-370-9