It is hereby notified that the President has assented to the following Act which is hereby published for general information:–

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This document contains various sections and schedules pertaining to the Constitution of the Republic of South Africa, 1996, including sections on security services, traditional leaders, finance, general provisions, national flag, oaths and solemn affirmations, election procedures, and various schedules detailing different aspects of legislative competence and transitional arrangements.
PREAMBLE

We, the people of South Africa,

Recognise the injustices of our past;

Honour those who suffered for justice and freedom in our land;

Respect those who have worked to build and develop our country; and

Believe that South Africa belongs to all who live in it, united in our diversity.

We therefore, through our freely elected representatives, adopt this Constitution as the supreme law of the Republic so as to—

Heal the divisions of the past and establish a society based on democratic values, social justice and fundamental human rights;

Lay the foundations for a democratic and open society in which government is based on the will of the people and every citizen is equally protected by law;

Improve the quality of life of all citizens and free the potential of each person; and

Build a united and democratic South Africa able to take its rightful place as a sovereign state in the family of nations.

May God protect our people.

Nkosi Sikelel’iAfrika. Morena boloka setjhaba sa heso.

God seen Suid-Afrika. God bless South Africa.

Mudzimu fhatutshedza Afurika. Hosi katekisa Afrika.
Act No. 108, 1996
CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA, 1996
Chapter 1

Republic of South Africa

1. The Republic of South Africa is one, sovereign, democratic state. Founded on the following values:

(a) Human dignity, the achievement of equality and the advancement of human rights and freedoms.

(b) Non-racialism and non-sexism.

(c) Supremacy of the constitution and the rule of law.

(d) Universal adult suffrage, a national common voters roll, regular elections and a multi-party system of democratic government, to ensure accountability, responsiveness and openness.

Supremacy of Constitution

2. This Constitution is the supreme law of the Republic; law or conduct inconsistent with it is invalid, and the obligations imposed by it must be fulfilled.

Citizenship

3. (1) There is a common South African Citizenship.

(2) All citizens are:

(a) equally entitled to the rights, privileges and benefits of citizenship; and

(b) equally subject to the duties and responsibilities of citizenship.

(3) National legislation must provide for the acquisition, loss and restoration of citizenship.

National anthem

4. The national anthem of the Republic is determined by the President by proclamation.

National flag

5. The national flag of the Republic is black, gold, green, white, red and blue, as described and sketched in Schedule 1.

Languages

6. (1) The official languages of the Republic are Sepedi, Sesotho, Setswana, siSwati, Tshivenda, Xitsonga, Afrikaans, English, isiNdebele, isiXhosa and isiZulu.
(2) Recognising the historically diminished use and status of the indigenous languages of our people, the state must take practical and positive measures to elevate the status and advance the use of these languages.

(3) (a) The national government and provincial governments may use any particular official languages for the purposes of government, taking into account usage, practicality, expense, regional circumstances and the balance of the needs and preferences of the population as a whole or in the province concerned; but the national government and each provincial government must use at least two official languages.

(b) Municipalities must take into account the language usage and preferences of their residents.

(4) The national government and provincial governments, by legislative and other measures, must regulate and monitor their use of official languages. Without detracting from the provisions of subsection (2), all official languages must enjoy parity of esteem and must be treated equitably.

(5) A Pan South African Language Board established by national legislation must...

(a) promote, and create conditions for, the development and use of—

(i) all official languages;

(ii) the Khoi, Nama and San languages; and

(iii) sign language;

(b) promote and ensure respect for—

(i) all languages commonly used by communities in South Africa, including German, Greek, Gujarati, Hindi, Portuguese, Tamil, Telegu and Urdu;

(ii) Arabic, Hebrew, Sanskrit and other languages used for religious purposes in South Africa.
Chapter 2
Bill of Rights

1. This Bill of Rights is a cornerstone of democracy in South Africa. It enshrines the rights of all people in our country and affirms the democratic values of human dignity, equality and freedom.

2. The state must respect, protect, promote and fulfil the rights in the Bill of Rights.

3. The rights in the Bill of Rights are subject to the limitations contained or referred to in section 36, or elsewhere in the Bill.

4. The Bill of Rights applies to all law, and binds the legislature, the executive, the judiciary and all organs of state.

5. A provision of the Bill of Rights binds a natural or a juristic person if, and to the extent that, it is applicable, taking into account the nature of the right and the nature of any duty imposed by the right.

6. When applying a provision of the Bill of Rights to a natural or juristic person in terms of subsection (2), a court:
   a. in order to give effect to a right in the Bill, must apply, or if necessary develop, the common law to the extent that legislation does not give effect to that right; and
   b. may develop rules of the common law to limit the right, provided that the limitation is in accordance with section 36(1).

7. A juristic person is entitled to the rights in the Bill of Rights to the extent required by the nature of the rights and the nature of that juristic person.
The state may not unfairly discriminate directly or indirectly against anyone on one or more grounds, including race, gender, sex, pregnancy, marital status, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture, language and birth.

(4) No person may unfairly discriminate directly or indirectly against anyone on one or more grounds in terms of subsection (3).

National legislation must be enacted to prevent or prohibit unfair discrimination.

(5) Discrimination on one or more of the grounds listed in subsection (3) is unfair unless it is established that the discrimination is fair.

Human dignity

10. Everyone has inherent dignity and the right to have their dignity respected and protected.

Life

11. Everyone has the right to life.

Freedom and security of the person

12. (1) Everyone has the right to freedom and security of the person, which includes the right—

(a) not to be deprived of freedom arbitrarily or without just cause;

(b) not to be detained without trial;

(c) to be free from all forms of violence from either public or private sources;

(d) not to be tortured in any way; and

(e) not to be treated or punished in a cruel, inhuman or degrading way.

(2) Everyone has the right to bodily and psychological integrity, which includes the right—

(a) to make decisions concerning reproduction;

(b) to security in and control over their body; and

(c) not to be subjected to medical or scientific experiments without their informed consent.

Slavery, servitude and forced labour

13. No one may be subjected to slavery, servitude or forced labour.

Privacy

14. Everyone has the right to privacy, which includes the right not to have—

(a) their person or home searched;

(b) their property searched;

(c) their possessions seized; or

(d) the privacy of their communications infringed.
Freedom of religion, belief and opinion

15. (1) Everyone has the right to freedom of conscience, religion, thought, belief and opinion.

(2) Religious observances may be conducted at state or state-aided institutions, provided that -
(a) those observances follow rules made by the appropriate public authorities;
(b) they are conducted on an equitable basis; and
(c) attendance at them is free and voluntary.

(3) (a) This section does not prevent legislation recognising -
(i) marriages concluded under my tradition, or a system of religious, personal or family law; or
(ii) systems of personal and family law under any tradition, or adhered to by persons professing a particular religion.

(b) Recognition in terms of paragraph (a) must be consistent with this section and the other provisions of the Constitution.

Freedom of expression

16. (1) Everyone has the right to freedom of expression, which includes -
(a) freedom of the press and other media;
(b) freedom to receive or impart information or ideas;
(c) freedom of artistic creativity; and
(d) academic freedom and freedom of scientific research.

(2) The right in subsection (1) does not extend to -
(a) propaganda for war;
(b) incitement of imminent violence; or
(c) advocacy of hatred that is based on race, ethnicity, gender or religion, and that constitutes incitement to cause harm.

Assembly, demonstration, picket and petition

17. Everyone has the right, peacefully and unarmed, to assemble, to demonstrate, to picket and to present petitions.

Freedom of association

18. Everyone has the right to freedom of association.

Political rights

19. (1) Every citizen is free to make political choices, which includes the right -
(a) to form a political party;
(b) to participate in the activities of, or recruit members for, a political party; and
(c) to campaign for a political party or cause.

(2) Every citizen has the right to free, fair and regular elections for any legislative body established in terms of the Constitution.

(3) Every adult citizen has the right -
(a) to vote in elections for any legislative body established in
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Republic of South Africa, 1996

Chapter 2 - Bill of Rights

... and to do so in secret; and (b) to stand for public office and, if elected, to hold office.

Citizenship

20. No citizen may be deprived of citizenship.

Freedom of movement and residence

21. (1) Everyone has the right to freedom of movement. (2) Everyone has the right to leave the Republic. (3) Every citizen has the right to enter, to remain in and to reside anywhere in, the Republic. (4) Every citizen has the right to a passport.

Freedom of trade, occupation and profession

22. Every citizen has the right to choose their trade, occupation or profession freely. The practice of a trade, occupation or profession may be regulated by law.

Labour relations

23. (1) Everyone has the right to fair labour practices. (2) Every worker has the right - (a) to form and join a trade union; (b) to participate in the activities and programmes of a trade union; and (c) to strike. (3) Every employer has the right - (a) to form and join an employers' organisation; and (b) to participate in the activities and programmes of an employers' organisation. (4) Every trade union and every employers' organisation has the right - (a) to determine its own administration, programmes and activities; (b) to organise; and (c) to form and join a federation. (5) Every trade union, employers' organisation and employer has the right to engage in collective bargaining. National legislation may be enacted to regulate collective bargaining. To the extent that the legislation may limit a right in this Chapter, the limitation must comply with section 36(1). (6) National legislation may recognise union security arrangements contained in collective agreements. To the extent that the legislation may limit a right in this Chapter, the limitation must comply with section 36(1).

Environment

24. Everyone has the right - (a) to an environment that is not harmful to their health or well-
(b) to have the environment protected, for the benefit of present
and future generations, through reasonable legislative and
other measures that -
(i) prevent pollution and ecological degradation;
(ii) promote conservation; and
(iii) secure ecologically sustainable development and use of
natural resources while promoting justifiable economic
and social development.

25. (1) No one may be deprived of property except
in
terms of law of
and no law may permit arbitrary deprivation
of property.

(2) Property may be expropriated only in terms of law of general
application-
(a). for a public purpose or in the public interest; and
(b) subject to compensation, the amount of which and the time
and manner of payment of which have either been agreed to
by those affected or decided or approved by a court.

(3) The amount of the compensation and the time and manner of
payment must be just and equitable, reflecting an equitable
balance between the public interest and the interests of those
affected, having regard to all relevant circumstances, including-
(a) the current use of the property;
(b).
(c) the market value of the property;
(d) the extent of direct state investment and subsidy in the
acquisition and beneficial capital improvement of the
property; and
(e) the purpose of the expropriation.

(4) For the purposes of this section-
(a) the public interest includes the nation's commitment to land
reform, and to reforms to bring about equitable access to all
South Africa's natural resources; and
(b) property is not limited to land.

(5) The state must take reasonable legislative and other measures,
within its available resources, to foster conditions which enable
citizens to gain access to land on an equitable basis.

(6) A person or community whose tenure of land is legally insecure as
a result of past racially discriminatory laws or practices is entitled,
to the extent provided by an Act of Parliament, either to tenure
which is legally secure or to comparable redress.

(7) A person or community dispossessed of property after
1963 as a result of past racially discriminatory laws or practices is
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Chapter 2 - Bill of Rights

(8) No provision of this section may impede the state from taking legislative and other measures to achieve land, water and related reform, in order to redress the results of past racial discrimination, provided that any departure from the provisions of this section is in accordance with the provisions of section 36(1).

(9) Parliament must enact the legislation referred to in subsection (6).

Housing

26. (1) Everyone has the right to have access to adequate housing.

(2) The state must take reasonable legislative and other measures, within its available resources, to achieve the progressive realisation of this right.

(3) No one may be evicted from their home, or have their home demolished, without an order of court made after considering all the relevant circumstances. No legislation may permit arbitrary evictions.

Health care, food, water and social security

27. (1) Everyone has the right to have access to-

(a) health care services, including reproductive health care;

(b) sufficient food and water;

(c) social security, including if they are unable to support themselves and their dependants, appropriate social assistance.

(2) The state must take reasonable legislative and other measures, within its available resources, to achieve the progressive realisation of each of these rights.

(3) No one may be refused emergency medical treatment.

Children

28. (1) Every child has the right-

(a) to a name and a nationality from birth;

(b) to family care or parental care, or to appropriate alternative care when removed from the family environment;

(c) to basic nutrition, shelter, basic health care services and social services;

(d) to be protected from maltreatment, neglect, abuse or degradation;

(e) to be protected from exploitative labour practices;

(f) not to be required or permitted to perform work or provide services that-

(i) are inappropriate for a person of that child's age; or

(ii) place at risk the child's well-being, education, physical or mental health or spiritual, moral or social development;

(g) not to be detained except as a measure of last resort, in which...
the child may be detained only for the shortest appropriate period of time, and has the right to be-
(i) kept separately from detained persons over the age of 18 years; and
(ii) treated in a manner, and kept in conditions, that take
account of the child's age;
(h) to have a legal practitioner assigned to the child by the state, and at state expense, in civil proceedings affecting the child, if
substantial injustice would otherwise result; and
(i) not to be used directly in armed conflict, and to be protected
in times of armed conflict.
(2) A child's best interests are of paramount importance in every
matter concerning the child;
(3) In this section "child" means a person under the age of 18 years.

Education
29. (1) Everyone has the right-
(a) to a basic education, including adult basic education; and
(b) to further education, which the state, through reasonable
measures, must make progressively available and accessible.

(2) Everyone has the right to receive education in the official language
or languages of their choice in public educational institutions
where that education is reasonably practicable. In
order to ensure the effective access to, and implementation of, this right, the state
must consider all reasonable educational alternatives, including

(a) equity;
(b) practicability; and
(c) the need to redress the results of past racially discriminatory
laws and practices..

(3) Everyone has the right to establish and maintain, at their own
expense, independent educational institutions that:

(a) do not discriminate on the basis of

(b) are registered with the state; and

(c) maintain standards that are not inferior to standards at comparable public educational institutions.

(4) Subsection (3) does not preclude state subsidies


Language and culture
30. Everyone has the right to use the language and to participate in the
cultural life of their choice, but no one exercising these rights may do
so in a manner inconsistent with any provision of the Bill of Rights.
Chapter 2 - Bill of Rights

31. (1) Persons belonging to a cultural, religious or linguistic community may not be denied the right, with other members of that community-
   (a) to enjoy their culture, practise their religion and use their language; and
   (b) to form, join and maintain cultural, religious and linguistic associations and other organs of civil society.

   (2) The rights in subsection (1) may not be exercised in a manner inconsistent with any provision of the Bill of Rights.

32. (1) Everyone has the right of access to-
   (a) any information held by the state; and
   (b) any information that is held by another person and that is required for the exercise or protection of any rights.

   (2) National legislation must be enacted to give effect to this right, and may provide for reasonable measures to alleviate the administrative and financial burden on the state.

33. (1) Everyone has the right to administrative action that is lawful, reasonable and procedurally fair.

   (2) Everyone whose rights have been adversely affected by administrative action has the right to be given written reasons.

   (3) National legislation must be enacted to give effect to these rights, and must-
      (a) provide for the review of administrative action by a court or, where appropriate, an independent and impartial tribunal;
      (b) impose a duty on the state to give effect to the rights in subsections (1) and (2); and
      (c) promote an efficient administration.

34. Everyone has the right to have any dispute that can be resolved by the application of law decided in a fair public hearing before a court or, where appropriate, another independent and impartial tribunal or forum.

35. (1) Everyone who is arrested for allegedly committing an offence has the right-
   (a) to remain silent;
   (b) to be informed promptly-
      (i) of the right to remain silent; and
      (ii) of the consequences of not remaining silent;
   (c) not to be compelled to make any confession or admission that
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(d) to be brought before a court as soon as reasonably possible, but not later than-

(i) 48 hours after the arrest; or

(ii) the end of the first court day after the expiry of the 48 hours, if the 48 hours expire outside ordinary court hours or on a day which is not an ordinary court day;

(e) at the first court appearance after being arrested, to be charged or to be informed of the reason for the detention to continue, or to be released; and

(f) to be released from detention if the interests of justice permit, subject to reasonable conditions.

(2) Everyone who is detained, including every sentenced prisoner, has the right-

(a) to be informed promptly of the reason for being detained;

(b) to choose, and to consult with, a legal practitioner, and to be informed of this right promptly;

(c) to have a legal practitioner assigned to the detained person by the state and at state expense, if substantial injustice would otherwise result, and to be informed of this right promptly;

(d) to challenge the lawfulness of the detention in person before a court and, if the detention is unlawful, to be released;

(e) to conditions of detention that are consistent with human dignity, including at least exercise and the provision, at state expense, of adequate accommodation, nutrition, reading material and medical treatment; and

(f) to communicate with, and be visited by, that person's-

(i) spouse or partner;

(ii) next of kin;

(iii) chosen religious counsellor; and

(iv) chosen medical practitioner.

(3) Every accused person has a right to a fair trial, which includes the right-

(a) to be informed of the charge with sufficient detail to answer it;

(b) to have adequate time and facilities to prepare a defence;

(c) to a public trial before an ordinary court;

(d) to have their trial begin and conclude without unreasonable delay;

(e) to be present when being tried;

(f) to choose, and be represented by, a legal practitioner, and to be informed of this right promptly;

(g) to have a legal practitioner assigned to the accused person by the state and at state expense, if substantial injustice would otherwise result, and to be informed of this right promptly;

(h) to be presumed innocent, to remain silent, and not to testify during the proceedings;
Chapter 2

Bill of Rights

(i) to adduce and challenge evidence;

(j) not to be compelled to give self-incriminating evidence;

(k) to be tried in a language that the accused person understands or, if that is not practicable; to have the proceedings interpreted in that language;

(l) not to be convicted for an act or omission that was not an offence under either national or international law at the time it was committed or omitted;

(m) not to be tried for an offence in respect of an act or omission for which that person has previously been either acquitted or convicted;

(n) to the benefit of the least severe of the prescribed punishments if the prescribed punishment for the offence has been changed between the time that the offence was committed and the time of sentencing; and

(o) of appeal to, or review by, a higher court.

(4) Whenever this section requires information to be given to a person, that information must be given in a language that the person understands.

(5) Evidence obtained in a manner that violates any right in the Bill of Rights must be excluded if the admission of that evidence would render the trial unfair or otherwise be detrimental to the administration of justice.

Limitation of rights

36. (1) The rights in the Bill of Rights may be limited only in terms of law of general application to the extent that the limitation is reasonable and justifiable in an open and democratic society based on human dignity, equality and freedom, taking into account all relevant factors, including-

(a) the nature of the right;

(b) the importance of the purpose of the limitation;

(c) the nature and extent of the limitation;

(d) the relation between the limitation and its purpose; and

(e) less restrictive means to achieve the purpose.

(2) Except as provided in subsection (1) or in any other provision of the Constitution, no law may limit any right entrenched in the Bill of Rights.

States of emergency

37. (1) A state of emergency may be declared only in terms of an Act of Parliament, and only when-

(a) the life of the nation is threatened by war, invasion, general insurrection, disorder, natural disaster or other public emergency; and

(b) the declaration is necessary to restore peace and order.
(2) A declaration of a state of emergency, and any legislation enacted or other action taken in consequence of that declaration, may be effective only:

(a) prospectively; and

(b) for no more than 60 days from the date of the declaration, unless the National Assembly resolves to extend the declaration. The Assembly may extend a declaration of a state of emergency for no more than three months at a time. The...

(3) Any competent court may decide on the validity of—

(a) a declaration of a state of emergency; . .

(b). any extension of a declaration of a state of emergency; or

(c) any legislation enacted, or other action taken, in consequence of a declaration of a state of emergency.

(4) Any legislation enacted in consequence of a declaration of a state of emergency may derogate from the Bill of Rights only to the extent that—

(a) the derogation is strictly required by the emergency; and

(b) the legislation—

(i) is consistent with the Republic's obligations under international law applicable to states of emergency;

(ii) conforms to subsection (5); and

(iii) is published in the national Government Gazette as soon as reasonably possible after being enacted.

(5) No Act of Parliament that authorises a declaration of a state of emergency, and no legislation enacted or other action taken in consequence of a declaration, may permit or authorise—

(a) indemnifying the state, or any person, in respect of any unlawful act; •

(b) any derogation from this section; or

(c) any derogation from a section mentioned in column 1 of the Table of Non-Derogable Rights, to the extent indicated opposite that section in column 3 of the Table.
Table of Non-Derogable Rights

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<td>Human dignity</td>
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<td>3</td>
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<td>4</td>
<td>Freedom and security</td>
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<td>Slavery~servitude and forced abour.</td>
<td>With respect to slavery and servitude.</td>
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<td>Children</td>
<td>With respect to: - subsection (1)(d) and (e); - the rights in subparagraphs (i) and (ii) of subsection (1)(g); and - subsection (1)(i) in respect of children of 18 years and younger.</td>
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<td>Arrested, detained and accused persons.</td>
<td>With respect to: - subsections (1)(a), (b) and (c); - the rights in paragraphs (a) to (o) of subsection (3), excluding paragraph (d); - subsection (4); and - subsection (5) with respect to the exclusion of evidence in the admission of that evidence; and - subsection (6) whenever anyone is detained without trial in consequence of a derogation of rights resulting from a declaration of a state of emergency, the following conditions must be observed: (a) An adult family member or friend of the detainee must be contacted as soon as reasonably possible, and informed that the person has been detained; (b) A notice must be published in the national Government Gazette within five days of the person being detained, stating the detainee's name and place of detention and referring to the emergency measure in terms of which that person has been detained; (c) The detainee must be allowed to choose, and be visited at any reasonable time by, a medical practitioner; (d) The detainee must be allowed to choose, and be visited at any reasonable time by, a legal representative; (e) A court must review the detention as soon as reasonably possible, but no later than 10 days after the date the person was detained, and the court must release the detainee unless it is necessary to continue the detention to restore peace and order; (f) A detainee who is not released in terms of a review under paragraph (e), or who is not released in terms of a review under this paragraph, may apply to a court for a further review of the detention at any time after 10 days have passed since the previous review, and the court must release the detainee unless it is necessary to continue the detention to restore peace and order.</td>
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Section 52

(c) The state must ensure that a person who has been detained is released as soon as is reasonably practicable to enable that person to appear in person before any court considering the detention, to be represented by a legal practitioner at those hearings, and to make representations against continued detention.

(d) The state must present written reasons to the court to justify the continued detention of the detainee, and must give a copy of those reasons to the detainee at least two days before the court reviews the detention.

38. Anyone listed in this section has the right to approach a competent court, alleging that a right in the Bill of Rights has been infringed or threatened, and the court may grant appropriate relief, including a declaration of rights. The persons who may approach a court are-

(a) anyone acting in their own interest;

(b) anyone acting on behalf of another person who cannot act in their own name;

(c) anyone acting as a member of, or in the interest of, a group or class of persons;

(d) anyone acting in the public interest; and

(e) an association acting in the interest of its members.

39. (1) When interpreting the Bill of Rights, a court, tribunal or forum—

(a) must promote the values that underlie an open and democratic society based on human dignity, equality and freedom;

(b) must consider international law; and

(c) may consider foreign law.

(2) When interpreting any legislation, and when developing the common law or customary law, every court, tribunal or forum must promote the spirit, purport and objects of the Bill of Rights.

(3) The Bill of Rights does not deny the existence of any other rights or freedoms that are recognised or conferred by common law, customary law or legislation, to the extent that they are consistent with the Bill.
Chapter 3


Co-operative Government

Section 40. (1) In the Republic, government is constituted as national, provincial and local spheres of government which are distinctive, interdependent and interrelated.

(2) All spheres of government must observe and adhere to the principles in this Chapter and must conduct their activities within the parameters that the Chapter provides.

Principles of co-operative government and intergovernmental relations

Section 41. (1) All spheres of government and all organs of state within each sphere must:

(a) preserve the peace, national unity and the indivisibility of the Republic;
(b) secure the well-being of the people of the Republic;
(c) provide effective, transparent, accountable and coherent government for the Republic as a whole;
(d) be loyal to the Constitution, the Republic and its people;
(e) respect the constitutional status, institutions, powers and functions of government in the other spheres;
(f) not assume any power or function except those conferred on them in terms of the Constitution;
(g) exercise their powers and perform their functions in a manner that does not encroach on the geographical, functional or institutional integrity of government in another sphere; and
(h) co-operate with one another in mutual trust and good faith by:
   (i) fostering friendly relations;
   (ii) assisting and supporting one another;
   (iii) informing one another of, and consulting one another on, matters of common interest;
   (iv) co-ordinating their actions and legislation with one another;
   (v) adhering to agreed procedures; and
   (vi) avoiding legal proceedings against one another.

(2) An Act of Parliament must:

(a) establish or provide for structures and institutions to promote and facilitate intergovernmental relations; and
(b) provide for appropriate mechanisms and procedures to facilitate settlement of intergovernmental disputes.

(3) An organ of state involved in an intergovernmental dispute must make every reasonable effort to settle the dispute by means of mechanisms and procedures provided for that purpose, and must exhaust all other remedies before it approaches a court to resolve the dispute.

(4) If a court is not satisfied that the requirements of subsection (3) have been met, it may refer a dispute back to the organs of state involved.
Chapter 4

Composition of Parliament

42. (1) Parliament consists of-
(a) the National Assembly; and
(b) the National Council of Provinces.

(2) The National Assembly and the National Council of Provinces participate in the legislative process in the manner set out in the Constitution.

(3) The National Assembly is elected to represent the people and to ensure government by the people under the Constitution. It does this by choosing the President, by providing a national forum for public consideration of issues, by passing legislation and by scrutinizing and overseeing executive action.

(4) The National Council of Provinces represents the provinces to ensure that provincial interests are taken into account in the national sphere of government. It does this mainly by participating in the national legislative process and by providing a national forum for public consideration of issues affecting the provinces.

(5) The President may summon Parliament to an extraordinary sitting at any time to conduct special business.

(6) The seat of Parliament is Cape Town, but an Act of Parliament enacted in accordance with section 76(1) and (5) may determine that the seat of Parliament is elsewhere.

Legislative authority of the Republic

43. In the Republic, the legislative authority-
(a) of the national sphere of government is vested in Parliament, as set out in section 44;
(b) of the provincial sphere of government is vested in the provincial legislatures, as set out in section 104; and
(c) of the local sphere of government is vested in the Municipal Councils, as set out in section 156.

National legislative authority

44. (1) The national legislative authority as vested in Parliament refers on the National Assembly the power:

(i) to amend the Constitution;

(ii) to pass legislation, with regard to any matter, including a...
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matter within a functional area listed in Schedule 4, but

excluding, subject to subsection (2), a matter within a

functional area listed in Schedule 5;

and

(iii) to assign any of its legislative powers, except the power

to amend the Constitution, to any legislative body in

another sphere of government; and

(b) confers on the National Council of Provinces the power-

(i) to participate in amending the Constitution in

accordance with section 74;

(ii) to pass, in accordance with section 76, legislation with-

regard to any matter within a functional area listed in

Schedule 4 and any other matter required by the

Constitution to be passed in accordance with section 76;

and

(iii) to consider, in accordance with

section 75, any other

legislation passed by the National Assembly.

(2) Parliament may intervene, by passing legislation in accordance

with section 76(1),

with regard to a matter falling within a

functional area listed in Schedule

5;

when it is necessary-

(a) to maintain national security;

(b) to maintain economic unity;

(c) to maintain essential national standards;

(d) to establish minimum standards required for the rendering of

services; or

(e) to prevent unreasonable action taken by a province which is

prejudicial to the interests of another province or to the

country as a whole.

(3) Legislation with regard to a matter that is reasonably necessary

for, or incidental to, the effective exercise of a power concerning

any matter listed in Schedule 4 is, for all purposes, legislation with

regard to a matter listed in Schedule 4.

(4) When exercising its legislative authority, Parliament is bound only

by the Constitution, and must act in accordance with, and within

the limits of, the Constitution.

Joint rules and orders and joint committees

45. (1) The National Assembly and the National Council of Provinces

must establish a joint rules committee to make rules and orders

concerning the joint business of the Assembly and Council,

including rules and orders-

(a) to determine procedures to facilitate the legislative process,

including setting a time limit for completing any step in the

process;

(b) to establish joint committees composed of representatives

from both the Assembly and the Council to consider and

report on Bills envisaged in sections 74 and 75 that are

referred to such a committee;
The National Assembly

46. (1) The National Assembly consists of no fewer than 350 and no more than 400 women and men elected as members in terms of an electoral system that-

(a) is prescribed by national legislation;
(b) is based on the national common voters roll;
(c) provides for a minimum voting age of 18 years; and
(d) results in general, in proportional representation.

(2) An Act of Parliament must provide a formula for determining the number of members of the National Assembly.

Membership

47. (1) Every citizen who is qualified to vote for the National Assembly is eligible to be a member of the Assembly, except:

(a) anyone who is appointed by, or in the service of, the state and receive remuneration for that appointment or service, other than

(i) the President, Deputy President, Ministers and Deputy Ministers;
(ii) other office-bearers whose functions are compatible with the functions of a member of the Assembly, and have been declared compatible with those functions by national legislation;

(b) permanent delegates to the National Council of Provinces or members of a provincial legislature or a Municipal Council;
(c) unrehabilitated insolvents;
(d) anyone declared to be of unsound mind by a court of the Republic; or
(e) anyone who, after this section took effect, is convicted of an offence and sentenced to more than 12 months' imprisonment, either in the Republic, or outside the Republic if the conduct constituting the offence would...
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(1) No one may be regarded as having been sentenced until an appeal against the conviction or sentence has been determined, or until the time for an appeal has expired. A disqualification under this paragraph ends five years after the sentence has been completed.

(2) A person who is not eligible to be a member of the National Assembly in terms of subsection (1)(a) or (b) may be a candidate for the Assembly, subject to any limits or conditions established by national legislation.

(3) A person loses membership of the National Assembly if that person-

(a) ceases to be eligible; or

(b) is absent from the Assembly without permission in circumstances for which the rules and orders of the Assembly prescribe loss of membership.

(4) Vacancies in the National Assembly must be filled in terms of national legislation.

Oath or affirmation

Before members of the National Assembly begin to perform their functions in the Assembly, they must swear or affirm faithfulness to the Republic and obedience to the Constitution, in accordance with Schedule 2.

Duration of National Assembly

(1) The National Assembly is elected for a term of five years.

(2) If the National Assembly is dissolved in terms of section 50, or when its term expires, the President, by proclamation, must call and set dates for an election, which must be held within 90 days of the date the Assembly was dissolved or its term expired.

(3) If the result of an election of the National Assembly is not declared within the period established in terms of section 190, or if an election is set aside by a court, the President, by proclamation, must call and set dates for another election, which must be held within 90 days of the expiry of that period or of the date on which the election was set aside.

(4) The National Assembly remains competent to function from the time it is dissolved or its term expires, until the day before the first day of polling for the next Assembly.

Dissolution of National Assembly before expiry of its term

(1) The President must dissolve the National Assembly if-

(a) the Assembly has adopted a resolution to dissolve with a supporting vote of a majority of its members; and

(b) three years have passed since the Assembly was elected.
The Acting President must dissolve the National Assembly if—
(a) there is a vacancy in the office of President; and
(b) the Assembly fails to elect a new President within 30 days after the vacancy occurred.

Sittings and recess periods

51. (1) After an election, the first sitting of the National Assembly must take place at a time and on a date determined by the President of the Constitutional Court, but not more than 14 days after the election result has been declared; the Assembly may determine the time and duration of its other sittings and its recess periods.
(2) The President may summon the National Assembly to an extraordinary sitting at any time to conduct special business.
(3) Sittings of the National Assembly are permitted at places other than the seat of Parliament only on the grounds of public interest, security or convenience, and if provided for in the rules and orders of the Assembly.

Speaker and Deputy Speaker

52. (1) At the first sitting after its election, or when necessary to fill a vacancy, the National Assembly must elect a Speaker and a Deputy Speaker from among its members.
(2) The President of the Constitutional Court must preside over the election of a Speaker, or designate another judge to do so. The Speaker presides over the election of a Deputy Speaker.
(3) The procedure set out in Part A of Schedule 3 applies to the election of the Speaker and the Deputy Speaker.
(4) The National Assembly may remove the Speaker or Deputy Speaker from office by resolution. A majority of the members of the Assembly must be present when the resolution is adopted.
(5) In terms of its rules and orders, the National Assembly may elect from among its members other presiding officers to assist the Speaker and the Deputy Speaker.

Decisions

53. (1) Except where the Constitution provides otherwise:
(a) a majority of the members of the National Assembly must be present before a vote may be taken on a Bill or an amendment to a Bill;
(b) at least one third of the members must be present before a vote may be taken on any other question before the Assembly; and
(c) all questions before the Assembly are decided by a majority of the votes cast.
(2) The member of the National Assembly presiding at a meeting of the Assembly has no deliberative vote, but-
(a) must cast a deciding vote when there is an equal number of votes on each side of a question; and ·
(b) may cast a deliberative vote when a question must be decided with a supporting vote of at least two thirds of the members of the Assembly.

Rights of certain Cabinet members in National Assembly
54. The President and any member of the Cabinet who is not a member of the National Assembly may attend, and may speak in, the Assembly, but may not vote.

Powers of National Assembly
55.·
(1) In exercising its legislative power, the National Assembly may­
(a) consider, pass, amend or reject any legislation before the Assembly; and
(b) initiate or prepare legislation, except money Bills.

(2) The National Assembly must provide for mechanisms-
(a) to ensure that all executive organs of state in the national sphere of government are accountable to it; and
(b) to maintain oversight of-
(i) the exercise of national executive authority, including the implementation of legislation; and
(ii) any organ of state.

Evidence or information before National Assembly
56. The National Assembly or any of its committees may-
(a) summon any person to appear before it to give evidence on oath or affirmation, or to produce documents;
(b) require any person or institution to report to it;
(c) compel, in terms of national legislation or the rules and orders, any person or institution to comply with a summons or requirement in terms of paragraph (a) or (b); and
(d) receive petitions, representations or submissions from any interested persons or institutions.

Internal arrangements, proceedings and procedures of National Assembly
57. (1) The National Assembly may-
(a) determine and control its internal arrangements, proceedings and procedures; and
(b) make rules and orders concerning its business, with due regard to representative and participatory democracy, accountability, transparency and public involvement.

(2) The rules and orders of the National Assembly must provide for­
(a) the establishment, composition, powers, functions, procedures and duration of its committees;
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Privileges

(b) the participation in the proceedings of the Assembly and its committees of minority parties represented in the Assembly, in a manner consistent with democracy;

(c) financial and administrative assistance to each party represented in the Assembly in proportion to its representation, to enable the party and its leader to perform their functions in the Assembly effectively; and

(d) the recognition of the leader of the largest opposition party in the Assembly as the Leader of the Opposition.

58.

Cabinet members and members of the National Assembly

(a) have freedom of speech in the Assembly and in its committees, subject to its rules and orders; and

(b) are not liable to civil or criminal proceedings, arrest, imprisonment or damages for-

(i) anything that they have said in, produced before or submitted to the Assembly or any of its committees; or

(ii) anything revealed as a result of anything that they have said in, produced before or submitted to the Assembly or any of its committees.

(2) Other privileges and immunities of the National Assembly, Cabinet members and members of the Assembly may be prescribed by national legislation.

(3) Salaries, allowances and benefits payable to members of the National Assembly are a direct charge against the National Revenue Fund.

Public access to and involvement in National Assembly

59. (1) The National Assembly must-

(a) facilitate public involvement in the legislative and other processes of the Assembly and its committees; and

(b) conduct its business in an open manner, and hold its sittings, and those of its committees, in public, but reasonable measures may be taken-

(i) to regulate public access, including access of the media, to the Assembly and its committees; and

(ii) to provide for the searching of any person and, where appropriate, the refusal of entry to, or the removal of, any person.

(2) The National Assembly may not exclude the public; including the media, from a sitting of a committee unless it is reasonable and justifiable to do so in an open and democratic society.
National Council of Provinces

Chapter 4: Parliament

Section 60: Composition of National Council

1. The National Council of Provinces is composed of a single delegation from each province consisting of ten delegates.

2. The ten delegates are:
   (a) four special delegates consisting of:
      (i) the Premier of the province or, if the Premier is not available, any member of the provincial legislature designated by the Premier either generally or for any specific business before the National Council of Provinces;
      (ii) three other special delegates; and
   (b) six permanent delegates appointed in terms of section 61(2).

3. The Premier of a province, or if the Premier is not available, a member of the province's delegation designated by the Premier, heads the delegation.

Section 61: Allocation of Delegates

1. Parties represented in a provincial legislature are entitled to delegates in the province's delegation in accordance with the formula set out in Part B of Schedule 3.

2. Within 30 days after the result of an election of a provincial legislature is declared, the legislature must:
   (a) 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) appoint the permanent delegates in accordance with the nominations of the parties.

3. The national legislation envisaged in subsection (2)(a) must ensure the participation of minority parties in both the permanent and special delegates' components of the delegation in a manner consistent with democracy.

4. The legislature, with the concurrence of the Premier and the leaders of the parties entitled to special delegates in the province's delegation, must designate special delegates, as required from time to time, from among the members of the legislature.

Section 62: Permanent Delegates

1. A person nominated as a permanent delegate must be eligible to be a member of the provincial legislature.

2. If a person who is a member of a provincial legislature is appointed as a permanent delegate, that person ceases to be a member of the legislature.

3. Permanent delegates are appointed for a term that expires...
...
see image
National Legislative Process

[Text continues on the page]
(d) If the Council rejects the Bill, or if the Assembly refuses to pass an amended Bill referred to it in terms of paragraph (c), the Bill and, where applicable, also the amended Bill, must be referred to the Mediation Committee, which may agree on-

(i) the Bill as passed by the Assembly;

(ii) the amended Bill as passed by the Council; or

(iii) another version of the Bill.

(e) If the Mediation Committee is unable to agree within 30 days of the Bill's referral to it, the Bill lapses unless the Assembly again passes the Bill, but with a supporting vote of at least two thirds of its members.

(f) If the Mediation Committee agrees on the Bill as passed by the Assembly, the Bill must be referred to the Council, and if the Council passes the Bill, the Bill must be submitted to the President for assent.

(g) If the Mediation Committee agrees on the amended Bill as passed by the Council, the Bill must be referred to the Assembly, and if it is passed by the Assembly, it must be submitted to the President for assent.

(h) If the Mediation Committee agrees on another version of the Bill, that version of the Bill must be referred to both the Assembly and the Council, and if it is passed by the Assembly and the Council, it must be submitted to the President for assent.

(i) If a Bill referred to the Council in terms of paragraph (f) or (h) is not passed by the Council, the Bill lapses unless the Assembly passes the Bill with a supporting vote of at least two thirds of its members.

(j) If a Bill referred to the Assembly in terms of paragraph (g) or (h) is not passed by the Assembly, that Bill lapses, but the Bill as originally passed by the Assembly may again be passed by the Assembly, but with a supporting vote of at least two thirds of its members.

(k) A Bill passed by the Assembly in terms of paragraph (e), (i) or (j) must be submitted to the President for assent.

(2) When the National Council of Provinces passes a Bill referred to in subsection (3), the Bill must be referred to the National Assembly and dealt with in accordance with the following procedure:

(a) The Assembly must—

(i) pass the Bill;

(ii) pass an amended Bill; or

(iii) reject the Bill.

(b) A Bill passed by the Assembly in terms of paragraph (a)(i) must be submitted to the President for assent.

(c) If the Assembly passes an amended Bill, the amended Bill must be referred to the Council, and if the Council passes the Bill, the Bill must be submitted to the President for assent.

(d) If the Council rejects the amended Bill, the amended Bill lapses unless the Assembly again passes the Bill, but with a supporting vote of at least two thirds of its members.
If the Assembly rejects the Bill, or if the Council refuses to pass an amended Bill referred to it in terms of paragraph (c), the Bill and, where applicable, also the amended Bill must be referred to the Mediation Committee, which may agree on:

(i) the Bill as passed by the Council;
(ii) the amended Bill as passed by the Assembly;
(iii) another version of the Bill.

If the Mediation Committee is unable to agree within 30 days of the Bill's referral to it, the Bill lapses.

If the Mediation Committee agrees on the Bill as passed by the Council, the Bill must be referred to the Assembly, and if the Assembly passes the Bill, the Bill must be submitted to the President for assent.

If the Mediation Committee agrees on the amended Bill as passed by the Assembly, the Bill must be referred to the Council, and if it is passed by the Council, it must be submitted to the President for assent.

If the Mediation Committee agrees on another version of the Bill, that version of the Bill must be referred to both the Council and the Assembly, and if it is passed by the Council and the Assembly, it must be submitted to the President for assent.

If a Bill referred to the Assembly in terms of paragraph (f) or (h) is not passed by the Assembly, the Bill lapses.

A Bill must be dealt with in accordance with the procedure established by either subsection (1) or subsection (2) if it falls within a functional area listed in Schedule 4 or provides for legislation envisaged in any of the following sections:

(a) section 65(2);
(b) section 163;
(c) section 182;
(d) section 195(3) and (4);
(e) section 196; and
(f) section 197.

(4) A Bill must be dealt with in accordance with the procedure established by subsection (1) if it provides for legislation envisaged in section 42(6).

(5) A Bill envisaged in section 42(6) must be dealt with in accordance with the procedure established by subsection (1), except that:

(a) when the National Assembly votes on the Bill, the provisions of section 53(1) do not apply; instead, the Bill may be passed only if a majority of the members of the Assembly vote in favour of it; and

(b) envisaged in Chapter 13, and which affects the financial interests of the provincial sphere of government.
(b) if the Bill is referred to the Mediation Committee, the following rules apply:

(i) If the National Assembly considers a Bill envisaged in subsection (1) (g) or (h), that Bill may be passed only if a majority of the members of the Assembly vote in favour of it.

(ii) If the National Assembly considers or reconsiders a Bill envisaged in subsection (1)(e), (i) or (j), that Bill may be passed only if at least two thirds of the members of the Assembly vote in favour of it.

(6) This section does not apply to money Bills.

Money Bills
77. (1) A Bill that appropriates money or imposes taxes, levies or duties is a money Bill. A money Bill may not deal with any other matter except a subordinate matter incidental to the appropriation of money or the imposition of taxes, levies or duties.

(2) All money Bills must be considered in accordance with the procedure established by section 75. An Act of Parliament must provide for a procedure to amend money Bills before Parliament.

Mediation Committee
78: (1) The Mediation Committee consists of:

(a) nine members of the National Assembly elected by the Assembly in accordance with a procedure that is prescribed by the rules and orders of the Assembly and results in the representation of parties in substantially the same proportion that the parties are represented in the Assembly;

(b) one delegate from each provincial delegation in the National Council of Provinces, designated by the delegation.

(2) The Mediation Committee has agreed on a version of a Bill, or decided a question, when that version, or one side of the question, is supported by:

(a) at least five of the representatives of the National Assembly;

(b) at least five of the representatives of the National Council of Provinces.

Assent to Bills
79. (1) The President must either assent to and sign a Bill passed in terms of this Chapter or, if the President has reservations about the constitutionality of the Bill, refer it back to the National Assembly for reconsideration.

(2) The joint rules and orders must provide for the procedure for the reconsideration of a Bill by the National Assembly and the participation of the National Council of Provinces in the process.
(3) The National Council of Provinces must participate in the reconsideration of a Bill that the President has referred back to the National Assembly if:

(a) the President's reservations about the constitutionality of the Bill relate to a procedural matter that involves the Council; or

(b) section 74(1), (2) or (3)(b) or 76 was applicable in the passing of the Bill.

(4) If, after reconsideration, a Bill fully accommodates the President's reservations, the President must assent to and sign the Bill; if not, the President must either:

(a) assent to and sign the Bill; or

(b) refer it to the Constitutional Court for a decision on its constitutionality.

(5) If the Constitutional Court decides that the Bill is constitutional, the President must assent to and sign it.

Application by members of National Assembly to Constitutional Court

(1) Members of the National Assembly may apply to the Constitutional Court for an order declaring that all or part of an Act of Parliament is unconstitutional.

(2) An application—

(a) must be supported by at least one third of the members of the National Assembly; and

(b) must be made within 30 days of the date on which the President assented to and signed the Act.

(3) The Constitutional Court may order that all or part of an Act that is the subject of an application in terms of subsection (1) has no force until the court has decided the application if:

(a) the interests of justice require this; and

(b) the application has a reasonable prospect of success.

(4) If an application is unsuccessful and did not have a reasonable prospect of success, the Constitutional Court may order the applicants to pay costs.

Publication of Acts

(1) A Bill assented to and signed by the President becomes an Act of Parliament, must be published promptly, and takes effect when published or on a date determined in terms of the Act.

Safekeeping of Acts of Parliament

(1) The signed copy of an Act of Parliament is conclusive evidence of the provisions of that Act and, after publication, must be entrusted to the Constitutional Court for safekeeping.
Chapter 5

The Federal and Regional System

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Chapter 2: Marketing and Sales Systems

1. Market Analysis
   a. Identification of target market
   b. Analysis of market trends and consumer behavior
   c. Competitive analysis

2. Product Development
   a. Market research to understand customer needs
   b. Development of product specifications
   c. Prototyping and testing

3. Sales and Distribution
   a. Sales strategy and tactics
   b. Distribution channels
   c. Sales forecasting

4. Customer Service
   a. Customer feedback and complaints
   b. Service agreements
   c. Warranty and support

5. Marketing Communications
   a. Advertising and promotion
   b. Social media and digital marketing
   c. Public relations

6. Sales Training
   a. Sales team development
   b. Product knowledge
   c. Sales techniques

7. Sales Analytics
   a. Sales performance monitoring
   b. Sales forecasting
   c. Sales optimization

8. Customer Relationship Management
   a. Customer data analysis
   b. Customer loyalty programs
   c. Customer retention strategies

9. Sales Forecasting
   a. Market trends analysis
   b. Sales projections
   c. Sales performance analysis

10. Sales Strategy
    a. Long-term sales objectives
    b. Sales performance metrics
    c. Sales management strategies

11. Sales Reporting
    a. Sales report preparation
    b. Sales reports analysis
    c. Sales performance reporting

12. Sales Opportunity Management
    a. Lead generation
    b. Lead nurturing
    c. Opportunity tracking

13. Sales Compensation
    a. Sales compensation structure
    b. Sales incentives
    c. Sales performance evaluation

14. Sales Training and Development
    a. Sales training programs
    b. Sales development resources
    c. Sales performance improvement

15. Salesgn in new markets
    a. Market entry strategies
    b. Sales expansion plans
    c. Sales market penetration

16. Sales Technology
    a. Sales automation tools
    b. Sales technology implementation
    c. Sales technology evaluation

17. Sales Resources
    a. Sales resource allocation
    b. Sales resource optimization
    c. Sales resource utilization

18. Sales Operations
    a. Sales process management
    b. Sales operational strategies
    c. Sales operational effectiveness

19. Sales Reporting
    a. Sales report preparation
    b. Sales reports analysis
    c. Sales performance reporting

20. Sales Forecasting
    a. Market trends analysis
    b. Sales projections
    c. Sales performance analysis

21. Sales Strategy
    a. Long-term sales objectives
    b. Sales performance metrics
    c. Sales management strategies
Chapter 6

Provincial Legislation

Provincial economy:

1. The province has a diverse economy with a mix of agriculture, manufacturing, and services.
2. The economy is heavily reliant on natural resources such as coal and minerals.
3. The province has a strong agricultural sector, particularly in fruits and vegetables.
4. The manufacturing sector is diverse, with industries focused on machinery, textiles, and electronics.
5. The service sector is also significant, with a strong banking, insurance, and tourism industry.

Legal responsibilities:

1. The province is responsible for the development and implementation of policies related to education, healthcare, and social services.
2. The province has jurisdiction over local government and the provision of public services.
3. The province is responsible for infrastructure such as roads, bridges, and public transportation.
4. The province has authority over natural resources and environmental regulations.
5. The province is responsible for the delivery of emergency services and disaster management.

Economic development:

1. The province is focused on promoting economic development through investment in infrastructure and technology.
2. The province is working to attract foreign investment and encourage business growth.
3. The province is developing policies to support entrepreneurship and small business.
4. The province is focusing on diversifying the economy to reduce dependence on a single industry or resource.
5. The province is investing in education and training to develop a skilled workforce.

Social policies:

1. The province is committed to improving social services and reducing poverty.
2. The province is implementing policies to support vulnerable populations such as the elderly and children.
3. The province is focusing on health and education to improve the well-being of its citizens.
4. The province is working to ensure access to affordable housing and basic utilities.
5. The province is investing in infrastructure to improve connectivity and reduce social and economic disparities.

Environmental policies:

1. The province is implementing measures to reduce greenhouse gas emissions and combat climate change.
2. The province is protecting natural resources and biodiversity through conservation and sustainable management.
3. The province is promoting renewable energy sources to reduce dependency on fossil fuels.
4. The province is encouraging responsible industrial practices to minimize environmental impact.
5. The province is working to mitigate the effects of natural disasters and improve disaster preparedness.

Infrastructure:

1. The province is investing in the development of infrastructure to support economic growth and improve quality of life.
2. The province is focusing on improving roads, bridges, and public transportation systems.
3. The province is upgrading water and sewage systems to ensure safe and clean water for all.
4. The province is investing in energy infrastructure to increase access to electricity and improve energy efficiency.
5. The province is working to ensure that infrastructure development is inclusive and accessible to all citizens, including those with disabilities.

Economic challenges:

1. The province faces challenges in diversifying its economy and reducing dependence on natural resources.
2. The province is challenged by rapid urbanization and the need for effective urban planning.
3. The province is facing issues with infrastructure maintenance and repair.
4. The province is dealing with environmental concerns and the need to balance development with conservation.
5. The province is working to address social and economic disparities to ensure a fair distribution of resources and opportunities.

Economic opportunities:

1. The province has opportunities to develop new industries and sectors, such as renewable energy and technology.
2. The province has potential for increased tourism and cultural exchange.
3. The province can leverage its natural resources to attract investment and develop new markets.
4. The province has opportunities to build partnerships with other regions and countries for collaboration and trade.
5. The province can focus on education and skills development to prepare its workforce for future economic challenges.

Infrastructure development:

1. The province is investing in infrastructure to support economic growth and improve connectivity.
2. The province is focusing on improving healthcare facilities and education infrastructure.
3. The province is working to develop infrastructure that is sustainable and resilient to future challenges.
4. The province is prioritizing the development of transportation infrastructure, including roads and public transit systems.
5. The province is ensuring that infrastructure development is inclusive and accessible to all citizens, including those with disabilities.
Chapter 4: Systems

1. The systems must be designed to meet the needs of the organization. This includes identifying the specific requirements of each system and determining the best approach to meet those needs.

2. The systems must be flexible enough to adapt to changes in the business environment. This includes the ability to add new features, modify existing ones, and remove obsolete components.

3. The systems must be scalable to accommodate future growth. This includes the ability to add more resources, such as storage capacity or processing power, in a cost-effective manner.

4. The systems must be resilient to failures. This includes the ability to fail gracefully and to recover quickly from unexpected events.

5. The systems must be secure. This includes the ability to protect data from unauthorized access, prevent data breaches, and ensure compliance with relevant regulations.

6. The systems must be reliable. This includes the ability to consistently provide the expected level of service and to meet the quality of service requirements.

7. The systems must be efficient. This includes the ability to optimize resource utilization and minimize waste.

8. The systems must be compatible with existing systems. This includes the ability to integrate with other systems and to exchange data in a standard format.

9. The systems must be maintainable. This includes the ability to identify and address faults quickly and to minimize the impact on the business.

10. The systems must be user-friendly. This includes the ability to provide intuitive interfaces and to offer training and support.

Section 4.1: Design and Development

11. The systems must be designed to meet the needs of the organization. This includes identifying the specific requirements of each system and determining the best approach to meet those needs.

12. The systems must be designed to be flexible enough to adapt to changes in the business environment. This includes the ability to add new features, modify existing ones, and remove obsolete components.

13. The systems must be designed to be scalable to accommodate future growth. This includes the ability to add more resources, such as storage capacity or processing power, in a cost-effective manner.

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19. The systems must be designed to be maintainable. This includes the ability to identify and address faults quickly and to minimize the impact on the business.

20. The systems must be designed to be user-friendly. This includes the ability to provide intuitive interfaces and to offer training and support.

Section 4.2: Integration and Testing

21. The systems must be integrated to work together seamlessly. This includes the ability to exchange data and to provide a consistent user experience.

22. The systems must be tested to ensure they meet the expected level of performance. This includes the ability to identify and address performance bottlenecks.

23. The systems must be tested to ensure they meet the expected level of reliability. This includes the ability to identify and address fault conditions.

24. The systems must be tested to ensure they meet the expected level of security. This includes the ability to identify and address security vulnerabilities.

25. The systems must be tested to ensure they meet the expected level of efficiency. This includes the ability to identify and address resource utilization issues.

26. The systems must be tested to ensure they meet the expected level of compatibility. This includes the ability to identify and address compatibility issues.

27. The systems must be tested to ensure they meet the expected level of maintainability. This includes the ability to identify and address maintenance issues.

28. The systems must be tested to ensure they meet the expected level of usability. This includes the ability to identify and address usability issues.

Section 4.3: Operation and Maintenance

29. The systems must be operated to ensure they meet the expected level of performance. This includes the ability to identify and address performance issues.

30. The systems must be maintained to ensure they meet the expected level of reliability. This includes the ability to identify and address maintenance issues.

31. The systems must be maintained to ensure they meet the expected level of security. This includes the ability to identify and address security issues.

32. The systems must be maintained to ensure they meet the expected level of efficiency. This includes the ability to identify and address resource utilization issues.

33. The systems must be maintained to ensure they meet the expected level of compatibility. This includes the ability to identify and address compatibility issues.

34. The systems must be maintained to ensure they meet the expected level of maintainability. This includes the ability to identify and address maintenance issues.

35. The systems must be maintained to ensure they meet the expected level of usability. This includes the ability to identify and address usability issues.

36. The systems must be maintained to ensure they meet the expected level of compliance. This includes the ability to identify and address regulatory and legal issues.

37. The systems must be maintained to ensure they meet the expected level of scalability. This includes the ability to identify and address scalability issues.

38. The systems must be maintained to ensure they meet the expected level of resilience. This includes the ability to identify and address resilience issues.
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Setting and Course Goals

- The course is designed to provide a comprehensive understanding of [specific course content].
- Students will be able to [list specific learning outcomes].
- The course will cover [list topics covered in the course].

Significance and Scope

- The course will be taught by [name of instructor], who has extensive experience in [relevant field].
- The course materials will include [list materials used in the course].
- The course will be assessed through [list assessment methods].

Section 1: Introduction

- The history and development of [topic] will be discussed.
- The current state of [topic] in different regions will be analyzed.

Section 2: Case Studies

- [Case Study 1] will be presented to illustrate [key points].
- [Case Study 2] will be discussed to highlight [additional points].

Section 3: Future Trends

- The future of [topic] is expected to [list future developments].
- Potential challenges and opportunities for [topic] will be explored.

Appendix

- [List of appendix contents].
- [List of references].
The way to conduct business within a country and its regulations and procedures needs to be understood.

Business regulations within a national legislation

1. A country's national legislation includes a wide range of different aspects that govern the day-to-day functioning of businesses. This includes laws regarding corporate governance, taxation, labor laws, consumer protection, and environmental regulations.

Source of national legislation

1. National legislation is derived from various sources, including the country's constitution, statutes, administrative regulations, and court decisions.

1. The constitution of a country serves as the foundational document that outlines the basic principles and rights of its citizens, including businesses.

1. Statutes are enacted by the legislature and provide specific rules and guidelines for various aspects of business operations.

1. Administrative regulations are issued by government agencies to implement and enforce the laws and statutes.

1. Court decisions are binding rulings that establish precedents and shape the interpretation of laws.

National legislation in detail

1. Corporate governance laws regulate the structure and operations of companies, including board composition, executive compensation, and shareholder rights.

1. Taxation laws are designed to raise revenue for the government and ensure that businesses pay their fair share.

1. Labor laws establish minimum wage standards, working hours, and conditions for employees.

1. Consumer protection laws safeguard individuals from unfair business practices and ensure transparency in transactions.

1. Environmental regulations aim to protect natural resources and ensure sustainable practices.

National legislation in detail

1. Corporate governance laws include specific provisions for the rights and responsibilities of shareholders, directors, and other stakeholders.

1. Taxation laws provide detailed guidance on tax obligations, including tax rates, due dates, and penalties for non-compliance.

1. Labor laws specify the rights and responsibilities of employers and employees, including minimum wages, working hours, and overtime pay.

1. Consumer protection laws outline the rights of consumers, including the right to receive accurate information and the right to return defective products.

1. Environmental regulations include standards for pollution control, waste management, and conservation practices.

National legislation in detail

1. Corporate governance laws outline the roles and responsibilities of various stakeholders, including shareholders, directors, and managers.

1. Taxation laws provide clear guidance on tax calculations and procedures, including tax returns and payments.

1. Labor laws specify the terms and conditions of employment, including employment contracts, benefits, and terminations.

1. Consumer protection laws ensure that consumers receive clear and accurate information about products and services and have the right to return defective products.

1. Environmental regulations provide guidelines for the management and disposal of waste, including hazardous waste.

National legislation in detail

1. Corporate governance laws emphasize the importance of transparency and accountability in business operations.

1. Taxation laws aim to ensure that businesses contribute fairly to government revenue through appropriate taxation.

1. Labor laws protect the rights of workers, including the right to a safe and healthy workplace.

1. Consumer protection laws are designed to prevent unfair business practices and protect consumer interests.

1. Environmental regulations focus on conserving natural resources and reducing pollution to protect the environment.
Provincial Executives

Examine activity of provinces

25. The provincial executive committee should be composed of:
   [list of activities or members]

26. The provincial executive committee is responsible for:
   [list of responsibilities or activities]

27. The provincial executive committee's role includes:
   [description of roles or functions]

28. The provincial executive committee should:
   [list of actions or goals]

29. [Additional information or requirements related to provincial executives]
Assignment of Duties

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Structure and Functions of Persons

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CHAPTER 11

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Removal of Office by Persons

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Date of Office and Term of Persons

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Provincial Constitutions

Adopting provincial constitutions

1. The government shall consider the adoption of the provincial constitutions and shall invite the government's advice on the provincial constitutions.

Criteria of provincial constitutions

1. The provincial constitutions shall be considered to be acceptable if the government satisfies the following criteria:
   - The provincial constitutions shall be approved by the federal government.
   - The provincial constitutions shall be approved by the provincial government.
   - The provincial constitutions shall be approved by the provincial constitutions committee.

Certification of provincial constitutions

1. The provincial constitutions shall be considered to be acceptable if the government satisfies the following criteria:
   - The provincial constitutions shall be approved by the federal government.
   - The provincial constitutions shall be approved by the provincial government.
   - The provincial constitutions shall be approved by the provincial constitutions committee.

Publication and validity of provincial constitutions

1. The provincial constitutions shall be considered to be acceptable if the government satisfies the following criteria:
   - The provincial constitutions shall be published in the provincial constitutions gazette.
   - The provincial constitutions shall be published in the provincial constitutions gazette.
   - The provincial constitutions shall be published in the provincial constitutions gazette.
Conflicting Laws

Conflicts between national and general legislation

1. In the event of a conflict between national and general legislation, the interpretation of the laws shall be in line with the general principles of public law.

2. The national laws shall be applied in the absence of conflicting provisions in the general legislation.

3. In cases of conflict, the national laws shall take precedence in the absence of explicit provisions in the general legislation.

4. The principles of public law shall be applied to resolve conflicts between national and general legislation.

5. The courts shall apply the national laws in the absence of explicit provisions in the general legislation.

6. The general principles of public law shall be applied in the resolution of conflicts between national and general legislation.

7. The interpretation of the laws shall be in accordance with the principles of public law.

8. The courts shall apply the national laws in the absence of explicit provisions in the general legislation.

9. The principles of public law shall be applied to resolve conflicts between national and general legislation.

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73. The principles of public law shall be applied to resolve conflicts between national and general legislation.

74. The courts shall apply the national laws in the absence of explicit provisions in the general legislation.
(5) Provincial legislation prevails over national legislation if subsection (2) or (3) does not apply.

(6) A law made in terms of an Act of Parliament or a provincial Act can prevail only if that law has been approved by the National Council of Provinces.

(7) If the National Council of Provinces does not reach a decision within 30 days of its first sitting after a law was referred to it, that law must be considered for all purposes to have been approved by the Council.

(8) If the National Council of Provinces does not approve a law referred to in subsection (6), it must, within 30 days of its decision, forward reasons for not approving the law to the authority that referred the law to it.

Other conflicts

147. (1) If there is a conflict between national legislation and a provision of a provincial constitution with regard to-

(a) a matter concerning which this Constitution specifically requires or envisages the enactment of national legislation, the national legislation prevails over the affected provision of the provincial constitution;

(b) national legislative intervention in terms of section 44(2), the national legislation prevails over the provision of the provincial constitution;

(c) a matter within a functional area listed in Schedule 4, section 146 applies as if the affected provision of the provincial constitution were provincial legislation referred to in that section.

(2) National legislation referred to in section 44(2) prevails over provincial legislation in respect of matters within the functional areas listed in Schedule 5.

Conflicts that cannot be resolved

148. If a dispute concerning a conflict cannot be resolved by a court, the national legislation prevails over the provincial legislation or provincial constitution.

Status of legislation that does not prevail

149. A decision by a court that legislation prevails over other legislation does not invalidate that other legislation, but that other legislation becomes inoperative for as long as the conflict remains.

Interpretation of conflicts

150. When considering an apparent conflict between national and provincial legislation, or between national legislation and a provincial constitution, every court must prefer any reasonable interpretation of the legislation or constitution that avoids a conflict, over any alternative interpretation that results in a conflict.
Chapter 7

Local Government

Types of Local Governments

1. City
2. County
3. Special District
4. School District

Effect of Local Government

1. Economic Development
2. Public Safety
3. Education
4. Recreation
5. Infrastructure

Developmental Roles of Local Governments

1. Planning and Zoning
2. Public Works
3. Environmental Protection
4. Public Health

Importance of Local Government

1. Proximity to citizens
2. Accountability
3. Flexibility
4. Efficiency

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CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA, 1996

Act No. 108, 1996

Chapter 7 - Local Government

159. The term of a Municipal Council may be no more than four years, as determined by national legislation.

160. (1) A Municipal Council-

(a) makes decisions concerning the exercise of all the powers and the performance of all the functions of the municipality;

(b) must elect its chairperson;

(c) may elect an executive committee and other committees, subject to national legislation; and

(d) may employ personnel that are necessary for the effective performance of its functions.

(2) The following functions may not be delegated by a Municipal Council:

(a) The passing of by-laws;

(b) the approval of budgets;

(c) the imposition of rates and other taxes, levies and duties; and

(d) the raising of loans.

(3) (a) A majority of the members of a Municipal Council must be present before a vote may be taken on any matter.

(b) All questions concerning matters mentioned in subsection (2) are determined by a decision taken by a Municipal Council with a supporting vote of a majority of its members.

(c) All other questions before a Municipal Council are decided by a majority of the votes cast.

(4) No by-law may be passed by a Municipal Council unless-

(a) all the members of the Council have been given reasonable notice; and

(b) the proposed by-law has been published for public comment.

(5) National legislation may provide criteria for determining-

(a) the size of a Municipal Council;

(b) whether Municipal Councils may elect an executive committee or any other committee; or

(c) the size of the executive committee or any other committee of a Municipal Council.
Section A: Introduction

1. A detailed description of the study with purposes and objectives.
   a. In the context of a systematic literature review.
   b. For the development of a comprehensive framework.
   c. In the establishment of a multi-level organizational alignment.
   d. To facilitate strategic decision-making.

2. A detailed discussion of the methodology and data analysis, including the processes involved and the tools used.

3. A thorough analysis of the findings, highlighting key themes and patterns.

4. A comprehensive discussion of the implications of the study, including recommendations for future research.

B. Literature Review

1. An overview of the existing literature relevant to the study's objectives.

2. A detailed examination of key studies and theories that have informed the research.

C. Methodology

1. A clear description of the research design and methodology.

2. A detailed account of the data collection and analysis processes.

3. An explanation of the analytical techniques used in the study.

D. Results

1. A comprehensive presentation of the findings, supported by appropriate data and analyses.

2. A discussion of the implications of the results for the research questions.

3. An analysis of the strengths and limitations of the study.

E. Conclusion

1. A summary of the main findings and their implications.

2. An assessment of the study's contribution to the literature.

3. Recommendations for future research.

Appendix

1. A detailed description of the data used in the study.

2. A list of all participants and their contributions.

3. A description of any additional resources used in the research process.
Chapter 8

COURTS AND ADMINISTRATION OF JUSTICE

Judicial authority

165. (1) The judicial authority of the Republic is vested in the courts.

(2) The courts are independent and subject only to the Constitution and the law, which they must apply impartially and without fear, favour or prejudice.

(3) No person or organ of state may interfere with the functioning of the courts.

(4) Organs of state, through legislative and other measures, must assist and protect the courts to ensure the independence, impartiality, dignity, accessibility and effectiveness of the courts.

(5) An order or decision issued by a court binds all persons to whom and organs of state to which it applies.

Judicial system

166. The courts are—

(a) the Constitutional Court;

(b) the Supreme Court of Appeal;

(c) the High Courts, including any High Court of Appeal that may be established by an Act of Parliament to hear appeals from High Courts;

(d) the Magistrates' Courts; and

(e) any other court established or recognised in terms of an Act of Parliament, including any court of a status similar to either the High Courts or the Magistrates' Courts.

Constitutional Court

167. (1) The Constitutional Court consists of a President, a Deputy President and nine other judges.

(2) A matter before the Constitutional Court must be heard by at least eight judges.

(3) The Constitutional Court—

(a) is the highest court in all constitutional matters;

(b) may decide only constitutional matters, and issues connected with decisions on constitutional matters; and

(c) makes the final decision whether a matter is a constitutional
Chapter 6: General Administration of Data

### General Administration of Data

- **Section 1**: Overview of Data Management
  - Data Collection and Storage
  - Data Quality and Validation
  - Data Security and Protection

- **Section 2**: Data Retrieval and Access
  - Retrieval Systems and Procedures
  - Access Control and Permissions
  - Data Availability and Access Logs

- **Section 3**: Data Backup and Recovery
  - Backup Strategies and Frequency
  - Recovery Procedures and Protocols
  - Data Archiving and Retention Policies

- **Section 4**: Data Management Policies and Procedures
  - Data Integrity and Consistency
  - Data Migrations and Updates
  - Data Governance and Compliance

- **Section 5**: Data Management Case Studies
  - Real-World Implementation of Data Management Strategies
  - Lessons Learned and Best Practices

- **Appendix A**: Sample Data Management Plans
  - Detailed Plans for Various Data Management Scenarios
  - Case Studies and Examples

- **Appendix B**: Glossary of Data Management Terms
  - Definitions and Explanations of Key Data Management Concepts

### References

- [Data Management Best Practices](https://www.example.com/data_management)
- [Case Study: Successful Data Management Implementation](https://www.example.com/case_study)
- [Data Governance Standards](https://www.example.com/governance)

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**End of Document**
50. The method of operation and the manner of governance of the
National Health Insurance Board are provided for in the National Health Insurance Act (Act 636) of 2000.

51. The Act provides for the establishment of the National Health Insurance Board (Board) to
function as the executive arm of the Ministry of Health, in charge of
the implementation of the National Health Insurance programme.

52. The Board is responsible for the formulation and implementation of policies related to
government insurance, including the establishment of rates, fees, and
premiums.

53. The Board is supervised by the Minister of Health and reports directly to
the Ministry of Finance.

54. The Board is composed of ten members, including the Chairperson,
who is appointed by the President on the recommendation of the
Minister of Health.

55. The Board's mandate includes the development and implementation of
strategies and plans for the provision of healthcare services to
the population.

56. The Board is supported by a team of professionals, including
medical doctors, nurses, and administrators.

57. The Board is responsible for the collection and distribution of funds,
which are raised through premiums and other sources.

58. The Board is accountable to the public and is subject to oversight
by the Ministry of Health and the Ministry of Finance.

59. The Board is committed to providing quality healthcare services
and is dedicated to ensuring the financial stability of the National
Health Insurance programme.

60. The Board is responsible for the regulation and supervision of
healthcare providers, including hospitals, clinics, and
private practitioners.

61. The Board is committed to ensuring that the National Health
Insurance programme is accessible to all citizens, regardless of
their economic status.

62. The Board is responsible for the development of a comprehensive
healthcare system that meets the needs of the population.

63. The Board is dedicated to promoting public health and
well-being through the provision of preventive care and
health promotion initiatives.

64. The Board is committed to ensuring that healthcare services
are delivered in a timely and efficient manner.

65. The Board is responsible for the management of the National
Health Insurance fund, which is used to finance healthcare services
for eligible beneficiaries.

66. The Board is dedicated to ensuring that healthcare services
are delivered in compliance with international standards
and best practices.

67. The Board is committed to the continuous improvement of
healthcare services and to the development of new technologies
and treatments.

68. The Board is responsible for the development and dissemination
of guidelines and protocols for the delivery of healthcare services.

69. The Board is dedicated to ensuring that healthcare services
are delivered in a manner that is respectful and
sensitive to the cultural and religious values of the population.

70. The Board is committed to the efficient and effective use
of resources, and to the sustainable development of the
National Health Insurance programme.

71. The Board is responsible for the development of partnerships
with other government agencies and international organizations
in order to promote the provision of healthcare services.

72. The Board is committed to ensuring that healthcare services
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principles of equity, efficiency, and effectiveness.

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are delivered in a manner that is respectful and
sensitive to the cultural and religious values of the population.

102. The Board is committed to the efficient and effective use
of resources, and to the sustainable development of the
National Health Insurance programme.
Raising Funds

The primary method of raising funds is through the sale of bonds and stocks. The bonds are marketed through banks and investment firms, while the stocks are marketed directly to the public. The proceeds from the sale of these securities are used to finance the construction of the new facility.

Year of Office and Accountants

The company has been incorporated in the state of California since 1992. The company has been audited by Price Waterhouse Coopers since 1993. The company's fiscal year is July 1 to June 30.

Annual Statement Regulation

The company is required to file an annual statement with the state of California. The annual statement must be filed by July 15 of each year. The company is required to file an annual report with the Securities and Exchange Commission by March 31 of each year.

The officers and directors of the company are responsible for the accuracy and completeness of the annual statement and the annual report.
Chapter 9

State Institutions Supporting Constitutional Democracy

Establishment and governing principles

181. (1) The following state institutions strengthen constitutional democracy in the Republic:

(a) The Public Protector.
(b) The Human Rights Commission.
(c) The Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities.
(d) The Commission for Gender Equality.
(e) The Auditor-General.
(f) The Electoral Commission.

(2) These institutions are independent, and subject only to the Constitution and law, and must be impartial and must exercise their powers and perform their functions without fear, favour or prejudice.

(3) Other organs of state, through legislative and other measures, must assist and protect these institutions to ensure their independence, impartiality, dignity and effectiveness.

(4) No person or organ of state may interfere with the functioning of these institutions.

(5) These institutions are accountable to the National Assembly, and must report on their activities and the performance of their functions to the Assembly at least once a year.

Public Protector

182. (1) The Public Protector has the power, as regulated by national legislation -

(a) to investigate any conduct in state affairs, or in the public administration in any sphere of government, that is alleged or suspected to be improper or to result in any impropriety or prejudice;
(b) to report on that conduct; and
(c) to take appropriate remedial action.
Chapter II: The Human Rights Commission

### Human Rights Commission

#### Function of Human Rights Commission

1. Promote the observance of human rights and fundamental freedoms
2. Express the government's views and recommendations of the United Nations
3. Issue reports on the state of human rights in the country
4. Conduct investigations and studies on human rights
5. Advise the government on human rights matters
6. Keep the public informed about human rights
7. Take any steps to ensure the implementation of human rights
8. Support the work of the Human Rights Commission
9. Cooperate with other international organizations
10. Investigate complaints of human rights violations
Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities

Structure of Commission

1. The Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities shall consist of the following members:

   a. A Chairperson
   b. At least two Vice-Chairs
   c. Members representing various cultural, religious, and linguistic groups

2. The Commission shall have the power to undertake the following activities:

   a. Conduct investigations into the protection of cultural, religious, and linguistic rights
   b. Promote education and awareness on cultural, religious, and linguistic diversity
   c. Advise the government on policies and programs related to cultural, religious, and linguistic rights

3. The Commission shall submit annual reports to the government, outlining its activities and recommendations.

Composition of Commission

1. The Commission shall be composed of representatives from various cultural, religious, and linguistic groups.

2. The Commission shall have the power to appoint experts and consultants to assist in its work.

3. The Commission shall be supervised by national legislation.

Commission for Gender Equality

Structure of Commission for Gender Equality

1. The Commission for Gender Equality shall consist of:

   a. A Chairperson
   b. At least two Vice-Chairs
   c. Members representing various gender groups

2. The Commission shall have the power to undertake the following activities:

   a. Conduct investigations into gender equality issues
   b. Promote education and awareness on gender equality
   c. Advise the government on policies and programs related to gender equality

3. The Commission shall submit annual reports to the government, outlining its activities and recommendations.
Auditor General

Responsibilities

1. The Auditor General shall perform the following responsibilities:
   a. Conduct audits, investigations, and reviews of the financial and operational activities of the government and its agencies.
   b. Ensure compliance with laws, rules, and regulations.
   c. Promote accountability and transparency.
   d. Protect the government's resources and assets.

2. The Auditor General shall:
   a. Issue reports on the results of audits and investigations.
   b. Make recommendations for corrective actions.
   c. Conduct trainings and seminars on audit methodologies and best practices.
   d. Collaborate with other audit bodies to enhance audit effectiveness.

3. The Auditor General shall establish policies and procedures for conducting audits and investigations.

4. The Auditor General shall ensure that all audit work is conducted in accordance with the International Standards of Auditing and the Code of Conduct.

5. The Auditor General shall have access to all records, accounts, and documents relevant to the audit.

6. The Auditor General shall be independent and free from outside influence.

7. The Auditor General shall maintain confidentiality of all audit information.

Special Notes

1. The Auditor General shall cooperate with other audit bodies to ensure consistency in audit methodologies and results.

2. The Auditor General shall conduct surprise audits to ensure compliance with legal and regulatory requirements.

Electoral Commission

Function of Electoral Commission

1. The Electoral Commission shall:
   a. Organize and conduct elections and referendums.
   b. Register voters and maintain electoral rolls.
   c. Ensure the conduct of elections in a free, fair, and transparent manner.
   d. Address complaints and grievances related to elections.

2. The Electoral Commission shall:
   a. Promote the participation of all eligible citizens in elections.
   b. Ensure the protection of human rights and freedoms.
   c. Provide for the peaceful resolution of disputes arising from elections.
   d. Strengthen the capacity of electoral systems to respond to new challenges.

3. The Electoral Commission shall:
   a. Develop and implement policies and procedures for the conduct of elections.
   b. Conduct research and analysis to inform policy development.
   c. Collaborate with other relevant bodies to ensure effective and efficient electoral systems.
   d. Promote awareness and understanding of the electoral process among the public.
Examination of Broadcasting Facilities

The Committee recommends the establishment of an independent authority to regulate broadcasting.

Independent Authority to Regulate Broadcasting

Facilities

The new authority should have the power to regulate and enforce standards for broadcasting facilities, including

General Provisions

Agreement

10. The scope of the proposed agreement should be.

The Committee recommends an agreement between

The recommendations for the new broadcasting authority include

The membership of the new authority should consist of

The new authority should be

The Committee recommends

The Committee recommends

The Committee recommends

The Committee recommends
of the same time that the assessment of the potential for development of
conflict within and between communities is being undertaken.

5. The information obtained from the assessment of the potential for development of the
conflict within and between communities is used to develop strategies to prevent or
decrease the likelihood of conflict.

6. The effectiveness of the strategies developed in paragraph 5 is evaluated and
adjusted as necessary.

7. The conflict resolution strategies are implemented and monitored to assess their
effectiveness.

8. The implementation of the conflict resolution strategies is evaluated and
adjusted as necessary.

9. The effectiveness of the conflict resolution strategies is assessed and
adjusted as necessary.

10. The conflict resolution strategies are identified and implemented as
necessary.

11. The effectiveness of the conflict resolution strategies is assessed and
adjusted as necessary.

12. The conflict resolution strategies are identified and implemented as
necessary.

13. The effectiveness of the conflict resolution strategies is assessed and
adjusted as necessary.
Chapter 10

Introduction

Basic concepts and principles governing the electrical system

1. Basic Concepts and Principles
   - Overview of electrical systems
   - Understanding the fundamentals
   - Common terminology

2. Electrical Circuits
   - Series and parallel circuits
   - Kirchhoff’s laws
   - Ohm’s law

3. Alternating Current (AC)
   - Generators and transformers
   - AC circuits
   - Frequency and phase

4. Direct Current (DC)
   - DC sources and circuits
   - Voltage, current, and resistance
   - DC motors and generators

5. Electrical Power
   - Power measurement and calculation
   - Power factor
   - Power transmission and distribution

6. Electrical Safety
   - Protective devices and grounding
   - Safety regulations and codes
   - Emergency procedures

7. Electrical Motors
   - Types of motors
   - Motor operation and control
   - Servo and stepper motors

8. Electrical Controls
   - Basic control systems
   - PLCs and SCADA systems
   - Automation and robotics

9. Electrical Measurements
   - Measurement instruments and techniques
   - Calibration and accuracy
   - Data acquisition systems

10. Electrical Protection
    - Overcurrent protection
    - Surge protection
    - Protective relaying

11. Electrical Measurement and Testing
    - Electrical testing equipment
    - Testing techniques
    - Maintenance and troubleshooting

12. Electrical Insulation
    - Types of insulation
    - Insulation materials
    - Insulation breakdown

13. Electrical Signaling
    - Signal transmission systems
    - Signal processing
    - Communication systems

14. Electrical Energy Storage
    - Batteries and capacitors
    - Fuel cells and supercapacitors
    - Energy storage systems

15. Electrical Energy Generation
    - Renewable energy sources
    - Thermal power generation
    - Nuclear power generation

16. Electrical Transmission and Distribution
    - Power transmission lines
    - Power distribution systems
    - Grid management

17. Electrical Energy Storage
    - Battery storage systems
    - Pumped storage hydroelectric systems
    - Electrical energy trading

18. Electrical Energy Conversion
    - Energy conversion technologies
    - Efficiency and losses
    - Energy conversion processes

19. Electrical Energy Distribution
    - Distribution networks
    - Smart grids
    - Energy management systems

20. Electrical Energy Storage
    - Energy storage systems
    - Energy management systems
    - Energy trading and markets

21. Electrical Energy Conversion
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    - Efficiency and losses
    - Energy conversion processes

49. Electrical Energy Distribution
    - Distribution networks
    - Smart grids
    - Energy management systems

50. Electrical Energy Storage
    - Energy storage systems
    - Energy management systems
    - Energy trading and markets
Rivera-Flores Conclusion

15. There are multiple factors that influence the outcomes of

16. These include the political context, economic conditions, and

17. Additionally, the role of international organizations and

18. Effective implementation of policies requires strong institutional

19. The need for sustained efforts and continuous improvement

20. This highlights the importance of a comprehensive approach

21. It is crucial to address the root causes of poverty and

22. Further research is needed to understand the dynamics

23. The findings suggest that participatory approaches are

24. The impact of microfinance programs can be maximized

25. Opportunities for collaboration and coordination

26. The success of these initiatives depends on the

27. These recommendations are intended to

28. The final report presents a summary of

29. The implementation of strategies for

30. The outcomes of these interventions can

31. The conclusions are drawn from

32. The recommendations for future

33. The Integrated Development

34. The Economic Assessment

35. The Environmental

36. The Social

37. The Cultural

38. The Institutional
1.1 The existing authorization of measurement equipment

1.2 The measurement equipment for the clinical laboratory

1.3 The installation and operation of measurement equipment

1.4 The maintenance and repair of measurement equipment

1.5 The calibration and adjustment of measurement equipment

1.6 The verification and validation of measurement equipment

1.7 The inspection and testing of measurement equipment

1.8 The disposal and recycling of measurement equipment

1.9 The documentation and management of measurement equipment

1.10 The quality control of measurement equipment

1.11 The risk management of measurement equipment

1.12 The training and education of personnel in measurement equipment

1.13 The management of measurement equipment in a laboratory

1.14 The development of measurement equipment for a clinical laboratory

1.15 The implementation and validation of measurement equipment

1.16 The management of measurement equipment in a hospital

1.17 The analysis and evaluation of measurement equipment
Chapter 11

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Chapter 10: Determinations

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Chapter 12

Technique Lesson

Exercise

1.1 The exercise must include a pretrial briefing, according
2.1 to local procedure. The briefing should cover
3.1 procedural requirements, case law, and
4.1 any other relevant information. The briefing
5.1 should be conducted in a neutral setting,
6.1 such as a conference room or
7.1 an secure location.

Rule of Individual Behavior

11.1 Naval officers can apply for leave individually;
12.1 leave requests must be submitted in
13.1 writing and approved by the commanding
14.1 officer. Leave requests should include
15.1 details about the planned activities,
16.1 and any special considerations.

17.1 Naval officers are expected to maintain
18.1 professional behavior during their
19.1 leave. This includes adhering to
20.1 military regulations and
21.1 maintaining discipline.

22.1 Naval officers are responsible for
23.1 reporting any incidents
24.1 that occur during
25.1 their leave.

26.1 Naval officers must
27.1 ensure that
28.1 their leave
29.1 is properly
30.1 documented.
Chapter 13

General Financial Matters

Selected Financial Data

Sequentially

APPENDIX
Financial and Fiscal Commission

Establishment and functions

1. The Financial and Fiscal Commission (the Commission) has the following functions:
   a. To provide advice and recommendations on financial and fiscal matters.
   b. To monitor and evaluate the financial performance of government agencies.
   c. To address issues related to revenue and expenditure management.
   d. To ensure compliance with fiscal laws and regulations.

2. The Commission's recommendations are provided to the relevant government bodies for implementation.

3. The Commission's functions are carried out through a combination of meetings, consultations, and research activities.

Staffing

4. The Commission consists of members appointed by the government, including representatives from various government agencies.

5. The members of the Commission are independent and can be removed by the government if necessary.

Appointment and remuneration

6. Members of the Commission are appointed on a non-political basis and are compensated for their work.

7. The remuneration of Commission members is determined by the government and is reviewed periodically.

8. The Commission is funded by the government and its budget is reviewed regularly.
General Works

Establishment

(1) The Board of Directors shall be the governing body of the Association and be responsible for all its operations.

(2) The Board of Directors shall consist of [number] members, elected by the membership, and shall hold office for [duration].

(3) The Board of Directors shall have the power to appoint officers and committee members as necessary to carry out the purposes of the Association.

(4) The Board of Directors shall meet at least [frequency] per year, and regularly as needed to conduct Association business.

(5) The Board of Directors shall maintain minutes of its meetings and keep a record of its actions.

(6) The Board of Directors shall be responsible for the financial management of the Association and shall ensure that the Association maintains sufficient reserves.

Finance and Assistance

(1) The Association shall secure such funds as may be necessary to carry out its purposes and to maintain its operations.

(2) The Association shall have the power to accept donations, grants, and contributions from any source.

(3) The Association shall have the power to enter into contracts and agreements for the purpose of furthering its purposes.

(4) The Association shall have the power to invest and manage its funds as necessary to ensure their growth and preservation.

Provincial and Local Financial Matters

Provincial Revenue Code

(1) The Association shall be exempt from all provincial taxes and fees.

(2) The Association shall be entitled to a tax credit for contributions made to the Association.

(3) The Association shall be eligible for government grants and other forms of financial assistance.

(4) The Association shall be permitted to engage in fund-raising activities to support its operations.

(5) The Association shall be subject to the provisions of the Provincial Revenue Code.
null
Chapter 14

International Law

International agreements

10. The agreements concluded at national level with private international agreements are subject to the ordinary rights and obligations of States.

11. The agreements concluded at national level with private international agreements are subject to the ordinary rights and obligations of States.

12. The agreement between two States, one of which is a State of the European Union and the other is a State that is not a Member of the European Union, is subject to this Treaty only if it is concluded in accordance with its reservations and declarations.

13. The agreements concluded at national level with private international agreements are subject to the ordinary rights and obligations of States.

Implementation of International Law

14. The implementation of international agreements is subject to the ordinary rights and obligations of States.

15. The implementation of international agreements is subject to the ordinary rights and obligations of States.

16. The implementation of international agreements is subject to the ordinary rights and obligations of States.
Other matters

Section of Rights
1. Section 1: Rights and Obligations established by the Convention, including the right of the State to the territory of the member states.

Self-Determination
2. The right of self-determination shall be exercised by the people of a state through the freely expressed will of the people, to determine freely their political status and the type of their own political, economic, social and cultural development, and shall be exercised without any outside interference.

Ending the military alliance
3. The military alliance shall be ended by mutual consent of all members, and shall be replaced by a peaceful, cooperative and mutually beneficial relationship.

Joint performances of obligations
4. Joint performances of obligations shall be carried out by all members, and shall be supervised by the International Court of Justice.

Agency and Allegiance
5. The agency and allegiance of a state shall be determined by the principle of voluntariness and shall be based on the freedom of choice of the people.

Interests
6. Interests of a state shall be determined by the principle of non-interference and shall be protected by international law.

7. The interests of a state shall be protected by the principle of non-interference and shall be protected by international law.
Schedule 1

National Flag

1. The national flag is rectangular; it is one and a half times longer than it is wide.
2. It is black, gold, green, white, chilli red and blue.
3. It has a green Y-shaped band that is one fifth as wide as the flag. The centre lines of the band start in the top and bottom corners next to the flag post, converge in the centre of the flag, and continue horizontally to the middle of the free edge.
4. The green band is edged, above and below in white, and towards the flag post end, in gold. Each edging is one fifteenth as wide as the flag.
5. The triangle next to the flag post is black.
6. The upper horizontal band is chilli red and the lower horizontal band is blue. These bands are each one third as wide as the flag.
Schedule 2

Alcohol and Other Allegations

1. Allegations of alcohol or other drug use or abuse
2. Allegations of attendance at alcohol or drug-related events
3. Allegations of possession or use of alcohol or drugs
4. Allegations of influence or impairment due to alcohol or drugs
5. Allegations of involvement in alcohol or drug-related incidents
6. Allegations of alcohol or drug-related property damage
7. Allegations of alcohol or drug-related injuries or fatalities
8. Allegations of alcohol or drug-related legal or regulatory violations
9. Allegations of alcohol or drug-related occupational health or safety issues
10. Allegations of alcohol or drug-related workplace accidents
11. Allegations of alcohol or drug-related public health concerns
12. Allegations of alcohol or drug-related transportation issues
13. Allegations of alcohol or drug-related environmental impacts
14. Allegations of alcohol or drug-related community impacts
15. Allegations of alcohol or drug-related personal impacts
16. Allegations of alcohol or drug-related family impacts
17. Allegations of alcohol or drug-related legal, regulatory or compliance issues

Schedule 2 - Alcohol and Other Allegations

1. Allegations of alcohol or other drug use or abuse
2. Allegations of attendance at alcohol or drug-related events
3. Allegations of possession or use of alcohol or drugs
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14. Allegations of alcohol or drug-related community impacts
15. Allegations of alcohol or drug-related personal impacts
16. Allegations of alcohol or drug-related family impacts
17. Allegations of alcohol or drug-related legal, regulatory or compliance issues
Oath or solemn affirmation of Premiers, Acting Premiers and members of provincial Executive Councils

The Premier or Acting Premier of a province, and each member of the Executive Council of a province, before the President of the Constitutional Court or a judge designated by the President of the Constitutional Court, must swear/affirm as follows:

I, A.B., swear/solemnly affirm that I will be faithful to the Republic of South Africa and will obey, respect and uphold the Constitution and all other law of the Republic; and I undertake to hold my office as Premier/Acting Premier/member of the Executive Council of the province of C.D. with honour and dignity; to be a true and faithful counsellor; not to divulge directly or indirectly any secret matter entrusted to me; and to perform the functions of my office conscientiously and to the best of my ability.

(In the case of an oath: So help me God.)

Oath or solemn affirmation of Judicial Officers

1. (1) Each judge or acting judge, before the Chief Justice of the Supreme Court of Appeal or another judge designated by the Chief Justice, must swear or affirm as follows:

I, A.B., swear/solemnly affirm that, as a Judge of the Constitutional Court/Supreme Court of Appeal/High Court/E.F. Court, I will be faithful to the Republic of South Africa, will uphold and protect the Constitution and the human rights entrenched in it, and will administer justice to all persons alike without fear, favour or prejudice, in accordance with the Constitution and the law.

(In the case of an oath: So help me God.)

2. (2) A person appointed to the office of Chief Justice of the Supreme Court of Appeal who is not already a judge at the time of that appointment must swear or affirm before the President of the Constitutional Court.

3. Judicial officers, and acting judicial officers, other than judges, must swear/affirm in terms of national legislation.
Schedule 3

Act No. 108, 1996

Schedule 3 - Election Procedures

Part A - Election Procedures for Constitutional Office-Bearers

Application

1. The procedure set out in this Schedule applies whenever:
   (a) the National Assembly meets to elect the President; or the Speaker or Deputy Speaker of the Assembly;
   (b) the National Council of Provinces meets to elect its Chairperson or a Deputy Chairperson; or
   (c) a provincial legislature meets to elect the Premier of the province or the Speaker or Deputy Speaker of the legislature.

Nominations

2. The person presiding at a meeting to which this Schedule applies must call for the nomination of candidates at the meeting.

Formal requirements

3. (1) A nomination must be made on the form prescribed by the rules mentioned in item 9.
   (2) The form on which a nomination is made must be signed:
      (a) by two members of the National Assembly, if the President or the Speaker or Deputy Speaker of the Assembly is to be elected;
      (b) on behalf of two provincial delegations, if the Chairperson or a Deputy Chairperson of the National Council of Provinces is to be elected; or
      (c) by two members of the relevant provincial legislature, if the Premier of the province or the Speaker or Deputy Speaker of the legislature is to be elected.
   (3) A person who is nominated must indicate acceptance of the nomination by signing either the nomination form or any other form of written confirmation.

Announcement of names of candidates

4. At a meeting to which this Schedule applies, the person presiding must announce the names of the persons who have been nominated as candidates, but may not permit any debate.
Schedule 3 - Election Procedures

Single candidate
5. If only one candidate is nominated, the person presiding must declare that candidate elected.

Election procedure
6. If more than one candidate is nominated -
   (a) a vote must be taken at the meeting by secret ballot;
   (b) each member present, or if it is a meeting of the National Council of Provinces, each province represented, at the meeting may cast one vote; and...
   (c) the person presiding must declare elected the candidate who receives a majority of the votes.

Elimination procedure
7. (1) If no candidate receives a majority of the votes, the candidate who receives the lowest number of votes must be eliminated and a further vote taken on the remaining candidates in accordance with...
8. (2) When applying subitem (1), if two or more candidates each have the lowest number of votes, a separate vote must be taken on those candidates, and repeated as often as may be necessary to determine which candidate is to be eliminated.

Further meetings
8. (1) If only two candidates are nominated, or if only two candidates remain after an elimination procedure has been applied, and those two candidates receive the same number of votes, a further meeting must be held within seven days, at a time determined by the person presiding.
8. (2) If a further meeting is held in terms of subitem (1), the procedure prescribed in this Schedule must be applied at that meeting as if it were the first meeting for the election in question.

9. (1) The President of the Constitutional Court must make rules prescribing -
   (a) the procedure for meetings to which this Schedule applies;
   (b) the duties of any person presiding at a meeting, and of any person assisting the person presiding;
   (c) the form on which nominations must be submitted; and
   (d) the manner in which voting is to be conducted.
9. (2) These rules must be made known in the way that the President of the Constitutional Court determines.
Part B - Formula to Determine Party Participation in Provincial Delegations to the National Council of Provinces

1. The number of delegates in a provincial delegation to the National Council of Provinces to which a party is entitled, must be determined by multiplying the number of seats the party holds in the provincial legislature by ten and dividing the result by the number of seats in the legislature plus one.

2. If a calculation in terms of item 1 yields a surplus not absorbed by the delegates allocated to a party in terms of that item, the surplus must compete with similar surpluses accruing to any other party or parties, and any undistributed delegates in the delegation must be allocated to the party or parties in the sequence of the highest surplus.
### Schedule 4

#### Functional Areas of Concurrent National and Provincial Legislative Competence

<table>
<thead>
<tr>
<th>Part A</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administration of indigenous forests</td>
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<tr>
<td>Agriculture</td>
<td></td>
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<tr>
<td>Airports other than international and national airports</td>
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<tr>
<td>Animal control and diseases</td>
<td></td>
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<tr>
<td>Casinos, racing, gambling and wagering, excluding lotteries and sports pools</td>
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<tr>
<td>Consumer protection</td>
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<tr>
<td>Cultural matters</td>
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<tr>
<td>Disaster management</td>
<td></td>
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<td>Education at all levels, excluding tertiary education</td>
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<tr>
<td>Environment</td>
<td></td>
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<tr>
<td>Health services</td>
<td></td>
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<tr>
<td>Housing</td>
<td></td>
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<tr>
<td>Indigenous law and customary law, subject to Chapter 12 of the Constitution</td>
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<tr>
<td>Industrial promotion</td>
<td></td>
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<tr>
<td>Language policy and the regulation of official languages, to the extent that the provisions of section 6 of the Constitution expressly confer upon the provincial legislatures legislative competence</td>
<td></td>
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<tr>
<td>Media services directly controlled or provided by the provincial government, subject to section 192</td>
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<tr>
<td>Nature conservation, excluding national parks, national botanical gardens and marine resources</td>
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<tr>
<td>Police, to the extent that the provisions of Chapter 11 of the Constitution confer upon the provincial legislatures legislative competence</td>
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<tr>
<td>Pollution control</td>
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<tr>
<td>Population development</td>
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<tr>
<td>Property transfer fees</td>
<td></td>
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<tr>
<td>Provincial public enterprises in respect of the functional areas in this Schedule and Schedule 5</td>
<td></td>
</tr>
<tr>
<td>Public transport</td>
<td></td>
</tr>
<tr>
<td>Public works only in respect of the needs of provincial government departments in the discharge of their responsibilities to administer functions specifically assigned to them in terms of the Constitution or any other law</td>
<td></td>
</tr>
<tr>
<td>Regional planning and development</td>
<td></td>
</tr>
</tbody>
</table>
Schedule 4 - Functional Areas of Concurrent National and Provincial Legislative Competence

Road traffic regulation
Soil conservation
Tourism
Trade
Traditional leadership, subject to Chapter 12 of the Constitution
Urban and rural development
Vehicle licensing
Welfare services

Part B
The following local government matters to the extent set out in section 155(6)(a) and (7):
Air pollution
Building regulations
Child care facilities
Electricity and gas reticulation
Firefighting services
Local tourism
Municipal airports
Municipal planning
Municipal health services
Municipal public transport
Municipal public works only in respect of the needs of municipalities in the discharge of their responsibilities to administer functions specifically assigned to them under this Constitution or any other law
Pontoons, ferries, jetties, piers and harbours, excluding the regulation of international and national shipping and matters related thereto.
Stormwater management systems in built-up areas
Trading regulations
Water and sanitation services limited to potable water supply systems and domestic waste-water and sewage disposal systems.
Schedule 5

Functional Areas of Exclusive Provincial Legislative Competence

**Part A**

- Abattoirs
- Ambulance services
- Archives other than national archives
- Libraries other than national libraries
- Liquor licences
- Museums other than national museums
- Provincial planning
- Provincial cultural matters
- Provincial recreation and amenities
- Provincial sport
- Provincial roads and traffic
- Veterinary services, excluding regulation of the profession

**Part B**

The following local government matters to the extent set out for provinces in section 155(6)(a) and (7):

- Beaches and amusement facilities
- Billboards and the display of advertisements in public places
- Cemeteries, funeral parlours and crematoria
- Cleansing
- Control of public nuisances
- Control of undertakings that sell liquor to the public
- Facilities for the accommodation, care and burial of animals
- Fencing and fences
- Licensing of dogs
- Licensing and control of undertakings that sell food to the public
- Local amenities
- Local sport facilities
- Markets
- Municipal abattoirs
- Municipal parks and recreation
- Municipal roads
- Noise pollution
- Pounds
- ...
Schedule 5—Functional Areas of Exclusive Provincial Legislative Competence

Public places
Refuse removal, refuse dumps and solid waste disposal
Street trading
Street lighting
Traffic and parking
Schedule 6

Definitions
1. In this Schedule; unless inconsistent with the context-
   “homeland” means a part of the Republic which, before the previous
   Constitution took effect, was dealt with in South African
   legislation as an independent or a self-governing-territory;
   “new Constitution” means the, Constitution of the Republic of South
   Africa, 1996;
   “old order legislation” means legislation enacted before the previous
   Constitution took effect;
   “previous Constitution” means the Constitution of the Republic of

Continuation of existing law
2. (1) All law that was in force when the new Constitution took effect,
    continues in force; subject to-
    (a) any amendment or repeal; and
    (b) consistency with the new Constitution.

   (2) Old
   ord~
   legislation that continues
   iii
   force in terms of subitem (1)
   (a). does not have a wider
   applicati~
   or otherwise,
   than it had before the previous Constitution took effect unless
   subsequently a'rriended to. have a wider application; and
   (b) continues to be administered by the authorities that
   administered it when the new Constirution took effect, subject
   to the new Constitution.

Interpretation of existing legislation
3~
   (1) Unless inconsistent
   with
   the context or clearly inappropriate, a
   reference in any legislation that existed when the new Constitution
   took effect ...;
   (a) to the Republic of South Africa or a homeland (except when
   it refers to a territorial area), must be construed as a ref,erence
   (b) to the Republic of South Africa under the_new Constitution; .
   (c) to Parliament, the National Assembly or the Senate, must be'
   construed as a reference to Parliament, the National Assembly
   or the National Council of Provmces .under the new
   Constitution;
   (c) to the President, an Executive Depury President, a Minister, a
CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA, 1996

Deputy Minister or the Cabinet, must be construed as a reference to the President, the Deputy President, a Minister, a Deputy Minister or the Cabinet under the new Constitution, subject to item 9 of this Schedule;

(d) to the President of the Senate, must be construed as a reference to the Chairperson of the National Council of Provinces;

(e) to a provincial legislature, Premier, Executive Council or member of an Executive Council of a province, must be construed as a reference to a provincial legislature, Premier, Executive Council or member of an Executive Council under the new Constitution, subject to item 12 of this Schedule; or

(f) to an official language or languages, must be construed as a reference to any of the official languages under the new Constitution.

(2) Unless inconsistent with the context or clearly inappropriate, a reference in any remaining old order legislation-

(a) to a Parliament, a House of a Parliament or a legislative assembly or body of the Republic or of a homeland, must be construed as a reference to-

(i) Parliament under the new Constitution, if the administration of that legislation has been allocated or assigned in terms of the previous Constitution or this Schedule to the national executive; or

(ii) the provincial legislature of a province, if the administration of that legislation has been allocated or assigned in terms of the previous Constitution or this Schedule to a provincial executive; or

(b) to a State President, Chief Minister, Administrator or other chief executive, Cabinet, Ministers’ Council or executive council of the Republic or of a homeland, must be construed as a reference to-

(i) the President under the new Constitution, if the administration of that legislation has been allocated or assigned in terms of the previous Constitution or this Schedule to the national executive; or

(ii) the Premier of a province under the new Constitution, if the administration of that legislation has been allocated or assigned in terms of the previous Constitution or this Schedule to a provincial executive.

National Assembly

(1) Any person who was a member or office-bearer of the National Assembly when the new Constitution took effect, becomes a member or office-bearer of the National Assembly under the new Constitution, and holds office as a member or office-bearer in terms of the new Constitution.
(2) The National Assembly as constituted in terms of subitem (1) must be regarded as having been elected under the new Constitution for a term that expires on 30 April 1999.

(3) The National Assembly consists of 400 members for the duration of its term that expires on 30 April 1999, subject to section 49(4) of the new Constitution.

(4) The rules and orders of the National Assembly in force when the new Constitution took effect, continue in force, subject to any amendment or repeal.

Unfinished business before Parliament

(1) Any unfinished business before the National Assembly when the new Constitution takes effect must be proceeded with in terms of the new Constitution.

(2) Any unfinished business before the Senate when the new Constitution takes effect must be referred to the National Council of Provinces, and the Council must proceed with that business in terms of the new Constitution.

Elections of National Assembly

(1) No election of the National Assembly may be held before 30 April 1999 unless the Assembly is dissolved in terms of section 50(2) after a motion of no confidence in the President in terms of section 102(2) of the new Constitution.

(2) Section 50(1) of the new Constitution is suspended until 30 April 1999.

(3) Despite the repeal of the previous Constitution, Schedule 2 to that Constitution, as amended by Annexure A to this Schedule, applies:

(a) to the first election of the National Assembly under the new Constitution;

(b) to the loss of membership of the Assembly in circumstances other than those provided for in section 47(3) of the new Constitution; and

(c) to the filling of vacancies in the Assembly, and the supplementation, review and use of party lists for the filling of vacancies, until the second election of the Assembly under the new Constitution.

(4) Section 47(4) of the new Constitution is suspended until the second election of the National Assembly under the new Constitution.
### Transitional Arrangements

1. The delegation to the National Council of Provinces must be the same as the proportion in which the province's 10 senators were nominated in terms of section 48 of the previous Constitution; and

2. The allocation of permanent delegates and special delegates to the parties represented in the provincial legislature, is as follows:

<table>
<thead>
<tr>
<th>Province</th>
<th>Permanent Delegate</th>
<th>Special Delegate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Eastern Cape</td>
<td>ANC5</td>
<td>ANC4</td>
</tr>
<tr>
<td></td>
<td>NP1</td>
<td></td>
</tr>
<tr>
<td>Free State</td>
<td>ANC4</td>
<td>ANC4</td>
</tr>
<tr>
<td></td>
<td>FF1</td>
<td>NP1</td>
</tr>
<tr>
<td>Gauteng</td>
<td>ANC3</td>
<td>ANC3</td>
</tr>
<tr>
<td></td>
<td>DP1</td>
<td>FF1</td>
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<tr>
<td></td>
<td>IFP1</td>
<td>IFP2</td>
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<tr>
<td>KwaZulu-Natal</td>
<td>ANCl</td>
<td>ANC2</td>
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<td></td>
<td>DP1</td>
<td>IFP3</td>
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<td></td>
<td>IFP2</td>
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<tr>
<td>Mpumalanga</td>
<td>ANC4</td>
<td>ANC4</td>
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<td>FF1</td>
<td>NP1</td>
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<tr>
<td>Northern Province</td>
<td>ANC6</td>
<td>ANC4</td>
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<tr>
<td>North West</td>
<td>ANC4</td>
<td>ANC4</td>
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<td>FF1</td>
<td>NP1</td>
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<tr>
<td>Western Cape</td>
<td>ANC2</td>
<td>ANC1</td>
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<td>DP1</td>
<td>NP3</td>
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</tbody>
</table>
Schedule 6—Transitional Arrangements

(2) A party represented in a provincial legislature—

(a) must nominate its permanent delegates from among the persons who were senators when the new Constitution took effect and are available to serve as permanent delegates; and

(b) may nominate other persons as permanent delegates only if none or an insufficient number of its former senators are available.

(3) A provincial legislature must appoint its permanent delegates in accordance with the nominations of the parties.

(4) Subitems (2) and (3) apply only to the first appointment of permanent delegates to the National Council of Provinces.

(5) Section 62(1) of the new Constitution does not apply to the nomination and appointment of former senators as permanent delegates in terms of this item.

(6) The rules and orders of the Senate in force when the new Constitution took effect, must be applied in respect of the business of the National Council to the extent that they can be applied, subject to any amendment or repeal.

Former senators

(1) A former senator who is not appointed as a permanent delegate to the National Council of Provinces is entitled to become a full voting member of the legislature of the province from which that person was nominated as a senator in terms of section 48 of the previous Constitution.

(2) If a former senator elects not to become a member of a provincial legislature that person is regarded as having resigned as a senator the day before the new Constitution took effect.

(3) The salary, allowances and benefits of a former senator appointed as a permanent delegate or as a member of a provincial legislature may not be reduced by reason only of that appointment.

National executive

(1) Anyone who was the President, an Executive Deputy President, a Minister or a Deputy Minister under the previous Constitution when the new Constitution took effect, continues in and holds that office in terms of the new Constitution, but subject to subitem (2).

(2) Until 30 April 1999, sections 84, 89, 90, 91, 93 and 96 of the new Constitution must be regarded to read as set out in Annexure B to this Schedule.

(3) Subitem (2) does not prevent a Minister who was a senator when the new Constitution took effect, from continuing as a Minister referred to in section 91(1)(a) of the new Constitution, as that section reads in Annexure B.
Transitional Arrangements

10. (1) Anyone who was a member or office-bearer of a province's legislature when the new Constitution took effect, becomes a member or office-bearer of the legislature for that province under the new Constitution, and holds office as a member or office-bearer in terms of the new Constitution and any provincial constitution that may be enacted.

(2) A provincial legislature as constituted in terms of subitem (1) must be regarded as having been elected under the new Constitution for a term that expires on 30 April 1999.

(3) For the duration of its term that expires on 30 April 1999, and subject to section 108(4), a provincial legislature consists of the number of members determined for that legislature under the previous Constitution plus the number of former senators who became members of the legislature in terms of item 8 of this Schedule.

(4) The rules and orders of a provincial legislature in force when the new Constitution took effect, continue in force, subject to any amendment or repeal.

Elections of provincial legislatures

11. (1) Despite the repeal of the previous Constitution, Schedule 2 to that Constitution, as amended by Annexure A to this Schedule; applies:

(a) to the first election of a provincial legislature under the new Constitution;

(b) to the loss of membership of a legislature in circumstances other than those provided for in section 106(3) of the new Constitution; and

(c) to the filling of vacancies in a legislature, and the supplementation, review and use of party lists for the filling of vacancies, until the second election of the legislature under the new Constitution.

(2) Section 106(4) of the new Constitution is suspended in respect of a provincial legislature until the second election of the legislature under the new Constitution.

Provincial executives

12. (1) Anyone who was the Premier or a member of the Executive Council of a province when the new Constitution took effect, continues in and holds that office in terms of the new Constitution and any provincial constitution that may be enacted, but subject to subitem (2).

(2) Until the Premier elected after the first election of a province's legislature under the new Constitution assumes office, or the province enacts its constitution, whichever occurs first, sections 132 and 136 of the new Constitution must be regarded to read as set out in Annexure C to this Schedule.
Appendix C: Financial Information

1. Bank statement for the last month, including all relevant transactions.

2. Profit and loss statement for the last fiscal year, showing revenues and expenses.

3. Balance sheet as of the end of last year, detailing assets and liabilities.

4. Cash flow statement for the last quarter, illustrating the inflows and outflows of cash.

5. Any other financial documents that support the financial health of the organization.

6. Any reports or audits conducted by external auditors to verify financial statements.

7. If applicable, any legal documents related to financial agreements or contracts.
Section II: Government of the Corporation

1. The Corporation shall have a Board of Directors consisting of a minimum of three (3) members, with a maximum of five (5) members, to be elected by the shareholders at the annual meeting. The Board of Directors shall have the power to appoint officers and committee members as necessary for the operation of the Corporation.

2. The Board of Directors shall meet at least four (4) times per year, with special meetings called as necessary. Each director shall receive a copy of the agenda and minutes of the meeting in advance of the meeting.

3. The Board of Directors shall consist of seven (7) members, with the chairman and vice-chairman being elected by the board from among its members. The chairman shall be the chief executive officer of the Corporation and shall preside at all Board meetings.

4. The Board of Directors shall have the power to set the Corporation's policies and to carry on the business of the Corporation.

5. The Board of Directors shall make all necessary arrangements for the annual meeting of shareholders, including the issuance of proxies and the preparation of the annual report.

6. The Board of Directors shall have the power to enter into contracts and to make investments, subject to the approval of the shareholders.

7. The Board of Directors shall have the power to establish and maintain a corporate seal and to keep the Corporation's records and minutes.

8. The Board of Directors shall have the power to authorize the Corporation to pay dividends to its shareholders.

9. The Board of Directors shall have the power to appoint officers and committee members, including the chief executive officer, as necessary for the operation of the Corporation.

10. The Board of Directors shall have the power to establish and maintain the Corporation's financial records and to prepare financial statements.

11. The Board of Directors shall have the power to take all necessary actions to protect the Corporation's assets and to prevent unauthorized access to the Corporation's records.

12. The Board of Directors shall have the power to establish and maintain a code of ethics and conduct for the Corporation's officers and employees.

13. The Board of Directors shall have the power to adopt and amend the Corporation's bylaws, subject to the approval of the shareholders.

14. The Board of Directors shall have the power to initiate legal actions in the name of the Corporation.

15. The Board of Directors shall have the power to dissolve the Corporation, subject to the approval of the shareholders.
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must be construed as a reference to the Constitutional Court under the new Constitution;

(b) the Appellate Division of the Supreme Court of South Africa, must be construed as a reference to the Supreme Court of Appeal; and

(c) a provincial or local division of the Supreme Court of South Africa or a supreme court of a homeland or general division of that court, must be construed as a reference to a High Court.

(6) (a) As soon as is practical after the new Constitution took effect all courts, including their structure, composition, functioning and jurisdiction, and all relevant legislation, must be rationalised with a view to establishing a judicial system suited to the requirements of the new Constitution.

(b) The Cabinet member responsible for the administration of justice, acting after consultation with the Judicial Service Commission, must manage the rationalisation envisaged in paragraph (a).

Cases pending before courts

17. All proceedings which were pending before a court when the new Constitution took effect, must be disposed of as if the new Constitution had not been enacted, unless the interests of justice require otherwise.

Prosecuting authority

18. (1) section 108 of the previous Constitution continues in force until the Act of Parliament envisaged in section 179 of the new Constitution takes effect. This subitem does not affect the appointment of the National Director of Public Prosecutions in terms of section 179.

(2) An attorney-general holding office when the new Constitution takes effect, continues to function in terms of the legislation applicable to that office, subject to subitem (1).

Oaths and affirmations

19. A person who continues in office in terms of this Schedule and who has taken the oath of office or has made a solemn affirmation under the previous Constitution, is not obliged to repeat the oath of office or solemn affirmation under the new Constitution.

Other constitutional institutions

20. (1) In this section “constitutional institution” means -

(a) the Public Protector;

(b) the Human Rights Commission;

(c) the Commission on Gender Equality;

(d) the Auditor-General;

(e) the South African Reserve Bank;

(f) the Financial and Fiscal Commission;
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(g) the Judicial Service Commission; or

(h) the Pan South African Language Board.

(2) A constitutional institution established in terms of the previous Constitution continues to function in terms of the legislation applicable to it, and anyone holding office as a commission member, a member of the board of the Reserve Bank or the Pan South African Language Board, the Public Protector or the Auditor-General when the new Constitution takes effect, continues to hold office in terms of the legislation applicable to that office, subject to-

(a) any amendment or repeal of that legislation; and

(b) consistency with the new Constitution.

(3) Sections 199(1), 200(1), (3) and (5) to (11) and 201 to 206 of the previous Constitution continue in force until repealed by an Act of Parliament passed in terms of section 75 of the new Constitution.

(4) The members of the Judicial Service Commission referred to in section 105(1)(h) of the previous Constitution cease to be members of the Commission when the members referred to in section 178(1)(i) of the new Constitution are appointed.

(5) (a) The Volkstaat Council established in terms of the previous Constitution continues to function in terms of the legislation applicable to it, and anyone holding office as a member of the Council when the new Constitution takes effect, continues to hold office in terms of the legislation applicable to that office, subject to-

(i) any amendment or repeal of that legislation; and

(ii) consistency with the new Constitution.

(b) Sections 184A and 184B(1)(a), (b) and (d) of the previous Constitution continue in force until repealed by an Act of Parliament passed in terms of section 75 of the new Constitution.

Enactment of legislation required by new Constitution

21. (1) Where the new Constitution requires the enactment of national or provincial legislation, that legislation must be enacted by the relevant authority within a reasonable period of the date the new Constitution took effect.

(2) Section 198(b) of the new Constitution may not be enforced until the legislation envisaged in that section has been enacted.

(3) Section 199(3)(a) of the new Constitution may not be enforced before the expiry of three months after the legislation envisaged in that section has been enacted.

(4) National legislation envisaged in section 217(3) of the new Constitution must be enacted within three years of the date on which the new Constitution took effect, but the absence of this
ANNEXURE A

Amendments to Schedule 2 to the previous Constitution

6. The amendment to the said Schedule shall be as follows:

- Amend the existing text
- Add new text
- Remove unnecessary text

7. The amendment is in accordance with the provisions of the previous Constitution.
representatives of each party
in
the legislature.

(2) Following the designation
in
terms of subitem (1),
if
a
candidate's name appears on more than one list for the
National Assembly or on lists for both the National Assembly
and a provincia/legislature (if an election of the Assembly and
a provincia/legislature is held at the same time), and such
candidate is due for designation as a representative
in
more
than one case, the party which submitted such lists shall,
within two days after the said declaration, indicate to the
Commission from which list such candidate will be designated
or
in
which legislature the candidate
will serve, as the case
may be, in which event the candidate's name shall be deleted
from the other lists.

(3) The Commission shall forthWith publish the list of names of
representatives in the legislature or legislatures.

10. The amendment of item 18
by
replacing paragraph
(b)
with the
following paragraph:
"(b) a representative is appointed as a permanent delegate to the
National Council of Provinces;".

11. The replacement of item 19 with the following item:
"19.
Lists of candidates of a party referred to in item 16(1) may be
supplemented on one occasion only at any time during the first
12 months following the date on which the designation of
representatives in terms of item 16 has been concluded, in order to
fill casual vacancies: Provided that any such supplementation shall
be made at the end of the list.".

12. The replacement of item 23 with the following item:
"Vacancies
23.(1) In the event of a vacancy in a legislature to which this
Schedule applies, the party which nominated the vacating
member shall fill the vacancy
by
nominating a person
(a) whose name appears on the list of candidates from
which the vacating member was originally nominated;
and
(b) who is the next qualified and available person on the
list.
(2) A nomination to fill a vacancy shall be submitted to the
Speaker
in
writing.
(3) If a party represented in a legislature dissolves or ceases to
exist and the members in question vacate their seats in
consequence of item 23A(1), the seats in question shall be
allocated to the remaining parties mutatis mutandis as if such
seats were forfeited seats in terms of item
7
or 14, as the case
may be.".
13. The insertion of the following item after item 23:

"Additional ground for loss of membership of legislatures
23A. (1) A person loses membership of a legislature to which this
Schedule applies if that person ceases to be a member of the
·party which nominated that person as a member of the
legislature.
(2) Despite subitem (1) any existing political party may at any
time change its name.
(3) An Act of Parliament may, within a reasonable period after
the new Constitution took effect, be passed in accordance
with section 76(1) of the new Constitution to amend this item
and item 23 to provide for the manner in which it will be
possible for a member of a legislature who ceases to be a
member of the party which nominated that member, to retain
·membership of such legislature.
(4) An Act of Parliament referred to in subitem (3) may also
provide for—
(a) any existing party to merge with another party; or
(b) any party to subdivide into more than one party."

14. The deletion of item 24.

15. The amendment of item 25—
(a) by replacing the definition of "Commission" with the
following definition:
"Commission' means the Electoral Commission referred to
in section 190 of the new Constitution;"
and
(b) by inserting the following definition after the definition of
"national list":
"new Constitution' means the Constitution of the Republic
of South Africa, 1996;"


ANNEXURE B

Government of National Unity:
National Sphere

1. Section 84 of the new Constitution is deemed to contain the following
additional subsection:
"(3) The President must consult the EXecutive Deputy Presidents—
(a) in the development and execution of the policies of the
national government;
(b) in all matters relating to the management of the Cabinet and
the performance of Cabinet business;
(c) in the assignment of functions to the Executive Deputy
Presidents;
(d) before making any appointment under the Constitution or
any legislation, including the appointment of ambassadors or
null
null
(i) if the President is requested to do so by the leader of the party of which the Minister in question is a member; or

(ii) if it becomes necessary for the purposes of the Constitution or in the interest of good government; or

(e) fill, when necessary, subject to paragraph (b), a vacancy in the office of Minister.

(10) Subsection (10) must be implemented in the spirit embodied in the concept of a government of national unity, and the President and the other functionaries concerned must in the implementation of that subsection seek to achieve consensus at all times: Provided that if consensus cannot be achieved on-

(a) the exercise of a power referred to in paragraph (a), (c) or (d)(ii) of that subsection, the President's decision prevails;

(b) the exercise of a power referred to in paragraph (b), (d)(i) or (e) of that subsection affecting a person who is not a member of the President's party, the decision of the leader of the party of which that person is a member prevails; and

(c) the exercise of a power referred to in paragraph (b) or (e) of that subsection affecting a person who is a member of the President's party, the President's decision prevails.

(12) If any determination of portfolio allocations is varied under subsection (10)(c), the affected Ministers must vacate their portfolios but are eligible, where applicable, for reappointment to other portfolios allocated to their respective parties in terms of the varied determination.

(13) The President-

(a) in consultation with the Executive Deputy Presidents and the leaders of the participating parties, must-

(i) determine a specific portfolio for a Minister referred to in subsection (1)(b) should it become necessary pursuant to a decision of the President under that subsection;

(ii) appoint in respect of that portfolio a person who is not a member of the National Assembly, as the Minister responsible for that portfolio; and

(iii) fill, if necessary, a vacancy in respect of that portfolio; or

(b) after consultation with the Executive Deputy Presidents and the leaders of the participating parties, must terminate any appointment under paragraph (a) if it becomes necessary for the purposes of the Constitution or in the interest of good government.
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(14) The President, or, if the President so instructs, by an Executive Deputy President: Provided that the Executive Deputy Presidents preside over meetings of the Cabinet in turn unless the exigencies of government and the spirit embodied in the concept of a government of national unity otherwise demand.

(15) The Cabinet must function in a manner which gives consideration to the consensus-seeking spirit embodied in the concept of a government of national unity as well as the need for effective government."

5. Section 93 of the new Constitution is deemed to read as follows:

"Appointment of Deputy Ministers

93. (1) The President may, after consultation with the Executive Deputy Presidents and the leaders of the parties participating in the Cabinet, establish deputy ministerial posts.

(2) A party is entitled to be allocated one or more of the deputy ministerial posts in the same proportion and according to the same formula that portfolios in the Cabinet are allocated.

(3) The provisions of section 91 (10) to (12) apply, with the necessary changes, in respect of Deputy Ministers, and in such application a reference in that section to a Minister or a portfolio must be read as a reference to a Deputy Minister or a deputy ministerial post, respectively.

(4) If a person is appointed as the Deputy Minister of any portfolio entrusted to a Minister—

(a) that Deputy Minister must exercise and perform on behalf of the relevant Minister any of the powers and functions assigned to that Minister in terms of any legislation or otherwise which may, subject to the directions of the President, be assigned to that Deputy Minister by that Minister; and

(b) any reference in any legislation to that Minister must be construed as including a reference to the Deputy Minister acting in terms of an assignment under paragraph (a) by the Minister for whom that Deputy Minister acts.

(5) Whenever a Deputy Minister is absent or for any reason unable to exercise or perform any of the powers or functions of office, the President may appoint any other Deputy Minister or any other person to act in the said Deputy Minister's stead, either generally or in the exercise or performance of any specific power or function."

6. Section 96 of the new Constitution is deemed to contain the following additional subsections:

"(3) Ministers are accountable individually to the President and to the National Assembly for the administration of their
portfolios, and all members of the Cabinet are correspondingly accountable collectively for the performance of the functions of the national government and for its policies.

(4) Ministers must administer their portfolios in accordance with the policy determined by the Cabinet.

(5) If a Minister fails to administer the portfolio in accordance with the policy of the Cabinet, the President may require the Minister concerned to bring the administration of the portfolio into conformity with that policy.

(6) If the Minister concerned fails to comply with a requirement of the President under subsection (5), the President may remove the Minister from office:
   (a) if it is a Minister referred to in section 91(1)(a), after consultation with the Minister and, if the Minister is not a member of the President's party or is not the leader of a participating party, also after consultation with the leader of that Minister's party; or
   (b) if it is a Minister referred to in section 91(1)(b), after consultation with the Executive Deputy Presidents and the leaders of the participating parties.

ANNEXURE C

Government of National Unity:
Provincial Sphere

1. Section 132 of the new Constitution is deemed to read as follows:

"Executive Councils

132.(1) The Executive Council of a province consists of the Premier and not more than 10 members appointed by the Premier in accordance with this section.

(2) A party holding at least 10 per cent of the seats in a provincial legislature and which has decided to participate in the government of national unity, is entitled to be allocated one or more of the Executive Council portfolios in proportion to the number of seats held by it in the legislature relative to the number of seats held by the other participating parties.

(3) Executive Council portfolios must be allocated to the respective participating parties according to the same formula set out in section 91 (9), and in applying that formula a reference in that section to -
   (a) the Cabinet, must be read as a reference to an Executive Council;
   (b) a Minister, must be read as a reference to a member of an Executive Council; and
(c) the National Assembly, must be read as a reference to
the provincia/legislature.

(4) The Premier of a province after consultation with the leaders
of the participating parties must—

(a) determine the specific portfolios to be allocated to the
respective participating parties in accordance with the
number of portfolios allocated to them

(b) appoint in respect of each such portfolio a member of
the provincia/legislature who is a member of the party
to which that portfolio was allocated under paragraph
(a), as the member of the Executive Council responsible
for that portfolio;

(c) if it becomes necessary for the purposes of the
Constitution or in the interest of good government, vary
any determination under paragraph (a), subject to
subsection (3);

(d) terminate any appointment under paragraph (b)—

(i) if the Premier
is requested to do so
by
the leader of
the party of which the Executive Council member
in question
is a member; or

(ii) if it becomes necessary for the purposes of the
Constitution or in the interest of good government;

(e) fill, when necessary, subject to paragraph (b), a vacancy
in the office of a member of the Executive Council.

(5) Subsection (4) must be implemented in the spirit embodied in
the concept of a government of national unity, and the Premier
and the other functionaries concerned must in the
implementation of that subsection seek to achieve consensus at
all times: Provided that if consensus cannot be achieved on—

(a) the exercise of a power referred to in paragraph (a), (c)
or (d)(ii) of that subsection, the Premier's decision
prevails;

(b) the exercise of a power referred to in paragraph (b),
(d)(i) or (e) of that subsection affecting a person who is
not a member of the Premier's party, the decision of the
leader of the party of which such person is a member
prevails; and

(c) the exercise of a power referred to in paragraph (b) or
(e) of that subsection affecting a person who is a member
of the Premier's party, the Premier's deCision prevails.

(6) If any determination of portfolio allocations is varied under
subsection (4)(c), the affected members must vacate their
portfolios but are eligible, where applicable, for
reappointment to other portfolios allocated to their respective
parties in terms of the varied determination.

(7) Meetings of an Executive Council must be presided over by
(8) An Executive Council must function in a manner which gives consideration to the consensus-seeking spirit embodied in the concept of a government of national unity, as well as the need for effective government.

2. Section 136 of the new Constitution is deemed to contain the following additional subsections:

"(3) Members of Executive Councils are accountable individually to the Premier and to the provincia/ legislature for the administration of their portfolios, and all members of the Executive Council are correspondingly accountable collectively for the performance of the functions of the provincial government and for its policies.

(4) Members of Executive Councils must administer their portfolios in accordance with the policy determined by the Council.

(5) If a member of an Executive Council fails to administer the portfolio in accordance with the policy of the Council, the Premier may require the member concerned to bring the administration of the portfolio into conformity with that policy.

(6) If the member concerned fails to comply with a requirement of the Premier under subsection (5), the Premier may remove the member from office after consultation with the member, and if the member is not a member of the Premier's party or is not the leader of that member's party."
1. The amendment of section 205(1)(c) of the previous Constitution by adding the following proviso to that subsection:

"Provided that this subsection shall also apply to members of any armed force which submitted its personnel list after the commencement of the Constitution of the Republic of South Africa, 1993 (Act 200 of 1993), but before the adoption of the new constitutional text as envisaged in section 73 of that Constitution, if the political organisation under whose authority and control it stands or with which it is associated and whose objectives it promotes did participate in the Transitional Executive Council; did take part in the first election of the National Assembly and the provincial legislatures under the said Constitution."

2. The amendment of section 224 of the previous Constitution by adding the following proviso to subsection (2):

"Provided that this subsection shall also apply to members of any armed force which submitted its personnel list after the commencement of the Constitution of the Republic of South Africa, 1993 (Act 200 of 1993), but before the adoption of the new constitutional text as envisaged in section 73 of that Constitution, if the political organisation under whose authority and control it stands or with which it is associated and whose objectives it promotes did participate in the Transitional Executive Council; did take part in the first election of the National Assembly and the provincial legislatures under the said Constitution."

3. The amendment of section 227 of the previous Constitution by adding the following subsection to the end of that section:

6. (c) by replacing "this Constitution», wherever this occurs in section 236, with "the new Constitution».

7. The amendment of section 237 of the previous Constitution-

(a) by replacing paragraph (a) of subsection (1) with the following paragraph:

(a) The rationalisation of all institutions referred to in section 236(1), excluding military forces referred to in section 224(2), shall after the commencement of the Constitution of the Republic of South Africa, 1996, continue, with a view to establishing-

(i) an effective administration in the national sphere of government to deal with matters within the jurisdiction of the national sphere; and

(ii) an effective administration for each province to deal with matters within the jurisdiction of each provincial government.»;

and

(b) by replacing subparagraph (i) of subsection (2)(a) with the following subparagraph:

(i) institutions referred to in section 236(1), excluding military forces, shall rest with the national government, which shall exercise such responsibility in co-operation with the provincial governments;

7. The amendment of section 239 of the previous Constitution by replacing subsection (4) with the following subsection:

(4) Subject to and in accordance with any applicable law, the assets, rights, duties and liabilities of all forces referred to in section 224(2) shall devolve upon the National Defence Force in accordance with the directions of the Minister of Defence.
## Schedule 7

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