

ERRATA - CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA BILL, 1996

ITEM	PAGE	SECTION	CORRECTION
1.	2	CONTENTS	<p>Replace "<i>Traditional Authorities</i>" with "<i>Traditional Leaders</i>"</p> <p>Replace "<i>Oaths</i>" with "<i>Oaths and solemn affirmations</i>"</p> <p>Replace "<i>Election Procedure: Constitutional Office Bearers</i>" with "<i>Election Procedure</i>"</p> <p>Replace "<i>Concurrent Functional Areas</i>" with "<i>Legislative Competences: Concurrent Functional Areas</i>"</p> <p>Replace "<i>106</i>" with "<i>103</i>"</p> <p>Replace "<i>Repealed Laws</i>" with "<i>Laws Repealed</i>"</p>
2.	5	2	Delete " <i>the</i> " from the heading.
3.	5	5	<p>The sentence should read as follows:</p> <p><i>"The national flag is black, gold, green, white, red and blue, as described and sketched in Schedule 1".</i></p>
4.	7	9(4)	<p>The first two sentences should read:</p> <p><i>"No person may unfairly discriminate directly or indirectly against anyone on one or more grounds in terms of subsection (3). The state must adopt national legislation to prevent or prohibit unfair discrimination."</i></p>
5.	8	15(2)	Delete comma after " <i>observances</i> ".
6.	9	15(3)((a)(i)	Replace " <i>and</i> " at the end of the section with " <i>or</i> ".
7.	10	24(b)(iii)	Delete " <i>the</i> " after " <i>secure</i> ".
8.	11	25(6)	<p>Delete "<i>s</i>" from "<i>rights</i>".</p> <p>Insert comma after "<i>land</i>" in the fourth line.</p>
9.	12	28(1)(g)(ii)	Delete " <i>and</i> " at end of paragraph (g)(ii).
10.	13	32(3)	Insert " <i>subsections</i> " after " <i>in</i> ".
11.	13	32(4)	Insert " <i>subsection</i> " after " <i>in</i> ".
12.	13	32(4)(b)	<p>Insert comma after "<i>state</i>" in both places.</p> <p>Replace "<i>sub-sections</i>" with "<i>subsections</i>".</p>
13.	14	32(4)(c)	Replace " <i>freedom and equality</i> " with " <i>equality and freedom</i> "

14.	14	34(1)(d)	Replace <i>" ; but,"</i> with <i>" , but"</i>
15.	14	34(2)(c)	Replace <i>"by the state and at state expense if"</i> with <i>"by the state, and at state expense, if"</i>
16.	15	34(3)(f)	Replace section with the following: <i>"to choose, and be represented by, a legal practitioner, and to be informed of this right;"</i>
17.	16	36(2)(b)	Replace the last sentence as follows: <i>"A resolution in terms of this paragraph may be adopted only following a public debate in the Assembly."</i>
18.	16	36(3)(c)	Replace the words <i>"under a declaration of a state of emergency"</i> with <i>"in consequence of a declaration of a state of emergency"</i> .
19.	16	36(5)(c)	Replace the words <i>"mentioned in Column 1 and 2"</i> with <i>"mentioned in Column 1"</i> . Replace <i>"table"</i> with <i>"Table"</i> .
20.	17	36	Replace the Table with the Table attached.
21.	17	36(6)(b)	Replace <i>"emergency measures under which that person has been detained"</i> with <i>"emergency measure in terms of which that person has been detained"</i> .
22.	18	36(8)	Replace <i>"Sub-sections"</i> with <i>"Subsections"</i> Replace the words <i>"in consequence of international armed conflicts"</i> with <i>"in consequence of an international armed conflict"</i> . In the last line, insert <i>"of"</i> after <i>"detention"</i> .
23.	18	37	Delete <i>"declared"</i> .
24.	18	37(a)	Replace <i>"their own interests"</i> with <i>"their own interest"</i> .
25.	18	37(e)	Replace <i>"in the interests"</i> with <i>"in the interest"</i> .
26.	18	38(3)	Remove comma after <i>"customary law"</i> .
27.	19	40	Replace heading with <i>"Inter-governmental co-operation"</i> .
28.	19	40(1)(d)	Replace <i>"powers or functions"</i> with <i>"power or function"</i> .
29.	20	40(3)	Replace <i>"intergovernmental"</i> with <i>"inter-governmental"</i> .
30.	21	40(4)	Replace <i>"intergovernmental"</i> with <i>"inter-governmental"</i> .
31.	21	42(b)	Replace <i>"section 103"</i> with <i>"section 102"</i> .
32.	21	42(c)	Replace <i>"section 151"</i> with <i>"section 150"</i> .

33.	21	43(1)(a)(ii)	Insert a comma after "Schedule 4".
34.	22	43(2)	Replace " <i>which</i> " with " <i>that</i> ".
35.	22	44(1)(b)	Replace " <i>common voters' roll</i> " with " <i>common voters roll</i> ".
36.	22	44(2)	Delete " <i>in terms of subsection (1)</i> ".
37.	23	45(2)	Replace " <i>limits and conditions</i> " with " <i>limits or conditions</i> ".
38.	23	46	Replace heading with " <i>Oath or affirmation</i> ".
39.	23	47(3)	Replace " <i>results of an election</i> " with " <i>result of an election</i> ". Replace " <i>are not declared</i> " with " <i>is not declared</i> ". Replace " <i>section 187</i> " with " <i>section 186</i> ".
40.	24	49	Add the following subsection: "(3) <i>The National Assembly sits at the Houses of Parliament in Cape Town, but the Assembly, in the national interest and by resolution adopted by a majority of its members, may determine that it sits elsewhere.</i> "
41.	24	51(2)(a)	Replace " <i>both sides</i> " with " <i>each side</i> ".
42.	25	54	Delete "(1)" Replace " <i>The National Assembly and any of its committees</i> " with " <i>The National Assembly or any its committees</i> ".
43.	25	58(1)	Add " <i>of Provinces</i> " after " <i>Council</i> ".
44.	27	59(2)	Replace " <i>a legislature must</i> " with " <i>the legislature must</i> ".
45.	27	60(4)(b)	Replace " <i>which</i> " with " <i>that</i> ".
46.	28	61	Add the following subsection: "(3) <i>The National Council meets in the same place as the National Assembly. Meetings at other places are permitted on the grounds of public interest, security or convenience, and in a manner provided for in the rules and orders of the Council.</i> "
47.	28	65	Replace as follows: " <i>Not more than ten representatives designated by organised local government in terms of section 158 to represent different categories of municipalities, may participate when necessary in the proceedings of the</i> "

			<i>National Council of Provinces, but may not vote."</i>
48.	29	67	Replace " <i>The National Council of Provinces and any of its committees</i> " with " <i>The National Council of Provinces or any of its committees</i> ".
49.	29	67(b)	Delete " <i>or requirement</i> ". Delete " <i>or (b)</i> ".
50.	30	70	Delete " <i>(1)</i> ".
51.	31	72(1)(b)(iii)	Replace " <i>which</i> " with " <i>that</i> ".
52.	33	74(3)(a)	Replace " <i>159(1)</i> " with " <i>158</i> ".
53.	33	74(3)(b)	Delete " <i>and (2)</i> ".
54.	35	78(2)(d)	Insert comma after " <i>constitutional</i> ".
55.	35	79(2)(b)	Insert " <i>to</i> " after " <i>assented</i> ".
56.	35	79(3)(a)	Replace " <i>interests</i> " with " <i>interest</i> ".
57.	37	83(2)(e)	Replace " <i>vote</i> " with " <i>motion</i> ".
58.	39	93	Replace the heading with " <i>Oath or affirmation</i> ". Delete " <i>their</i> " after " <i>affirm</i> ". Delete " <i>by solemn declaration</i> ".
59.	43	102(1)	Replace " <i>confers on a provincial legislature</i> " with " <i>confers on the provincial legislature</i> ".
60.	43	102(2)	Insert " <i>also</i> " before " <i>by that constitution</i> ".
61.	44	104(2)	Replace " <i>limits and conditions</i> " with " <i>limits or conditions</i> ".
62.	45	104(4)	Insert " <i>in a provincial legislature</i> " after " <i>Vacancies</i> ".
63.	45	105	Delete in the heading " <i>by members</i> ". Delete " <i>their</i> " after " <i>affirm</i> ".
64.	45	106(3)	Replace " <i>results of an election of a provincial legislature are</i> " with " <i>result of an election of a provincial legislature is</i> ".
65.	46	111	Replace " <i>to attend or speak in</i> " with " <i>to attend, or speak in,</i> ".
66.	47	113	Delete " <i>(1)</i> ". Replace " <i>A provincial legislature and any of its committees</i> " with " <i>A provincial legislature or any of its committees</i> ".
67.	48	116(b)	Delete comma after " <i>but</i> ".
68.	50	123(4)	Replace " <i>Province</i> " with " <i>province</i> ".

69.	50	124(2)(b)	Insert " <i>provincial</i> " before " <i>legislature</i> ".
70.	50	124(2)(d)	Insert " <i>and</i> " after " <i>business</i> ,".
71.	50	124(2)(e)	Replace " <i>vote of no confidence</i> " with " <i>motion of no-confidence</i> ".
72.	51	128	In the heading, replace " <i>Acting Premier</i> " with " <i>Acting-Premier</i> ".
73.	51	131	Delete " <i>solemn</i> " in the heading. Delete " <i>their</i> " after " <i>affirm</i> ". Insert a comma after " <i>Constitution</i> ".
74.	53	139(2)	Replace " <i>paragraphs (a) and (b)</i> " with " <i>paragraph (a) or (b)</i> ".
75.	53	140(1)	Replace " <i>text of the constitution</i> " with " <i>text of the constitution or constitutional amendment</i> ".
76.	54	141	Replace " <i>promulgation</i> " in the heading and in subsection (3) with " <i>publication</i> ".
77.	54	142(2)(b)	Replace " <i>provide</i> " with " <i>provides</i> ".
78.	55	143(a)	Replace " <i>where</i> " with " <i>concerning which</i> ".
79.	55	144	Replace " <i>fails</i> " with " <i>falls</i> ".
80.	57	147(a)	Insert " <i>and their</i> " before " <i>budgeting</i> ".
81.	57	148(3)	Insert " <i>and</i> " after " <i>functions</i> ".
82.	58	150(3)	Replace " <i>section 142</i> " with " <i>section 142 or 143</i> ".
83.	58	152(2)	Replace " <i>A system of election</i> " with " <i>An electoral system</i> ".
84.	59	153(2)	Replace " <i>limits and conditions</i> " with " <i>limits or conditions</i> ".
85.	59	155	Insert " <i>duration,</i> " after " <i>composition</i> ".
86.	60	156	Insert " <i>and their members</i> " after " <i>councils</i> ".
87.	60	157	Replace " <i>Promulgation</i> " in the heading with " <i>Publication</i> ".
88.	60	158	Delete "(1)".
89.	60	158(b)	Replace " <i>that body</i> " with " <i>those bodies</i> ".
90.	60	159	Replace " <i>the National Assembly</i> " with " <i>Parliament</i> ".
91.	61	162(e)	Insert " <i>either</i> " after " <i>similar to</i> ".
92.	61	163(3)(b)	Replace " <i>matters and issues</i> " with " <i>matters, and issues</i> ".

93.	62	163(4)(b)	Replace " <i>chapter</i> " with " <i>Chapter</i> ".
94.	62	163(5)	Replace " <i>legislation and the rules</i> " with " <i>legislation or the rules</i> ".
95.	62	166	Replace " <i>Parliament; but,</i> " with " <i>Parliament, but</i> ".
96.	63	168(1)(a)	Replace " <i>constitution</i> " with " <i>Constitution</i> ".
97.	63	169	Replace " <i>interests</i> " with " <i>interest</i> ".
98.	64	172(1)	Insert " <i>a</i> " before " <i>non-renewable</i> ".
99.	65	174(1)(i)	Replace with " <i>four permanent delegates to the National Council of Provinces designated together by the Council, by a vote of at least six provinces,</i> ".
100.	65	174(3)	Insert " <i>of the Commission</i> " after " <i>Members</i> ".
101.	66	174(6)	Replace " <i>procedure; but,</i> " with " <i>procedure, but</i> ".
102.	66	175(6)	Replace " <i>cabinet</i> " with " <i>Cabinet</i> ".
103.	69	178(2)	Replace " <i>any</i> " with " <i>the</i> ".
104.	72	184(2)(a)	Replace " <i>national revenue fund</i> " with " <i>National Revenue Fund</i> " and " <i>provincial revenue fund</i> " with " <i>provincial Revenue Fund</i> ".
105.	72	184(2)(b)	Delete " <i>,other than a registered charity or private enterprise,</i> ".
106.	72	186(1)(c)	Insert " <i>and</i> " before " <i>which</i> ".
107.	73	189	Replace " <i>the National Assembly</i> " in subsections (3) and (4) with " <i>Parliament</i> ".
108.	73	190	Replace " <i>the National Assembly</i> " in subsections (1) and (2) with " <i>Parliament</i> ".
109.	75	191(1)(b)	Replace " <i>any law</i> " with " <i>legislation</i> ".
110.	76	192(1)	Replace " <i>South Africa</i> " with " <i>the Republic</i> ".
111.	76	193(1)	Replace " <i>South Africa</i> " with " <i>the Republic</i> ".
112.	77	195(7)(a)	Replace " <i>this constitution</i> " with " <i>the Constitution</i> ".
113.	78	197(2)	Replace " <i>deployed</i> " with " <i>employed</i> ".
114.	78	203(1)	Delete first two commas.
115.	80	206(b)	Delete comma after " <i>President</i> ".
116.	83	210(2)	Insert " <i>and</i> " before " <i>any recommendations</i> ".
117.	85	213	Replace " <i>national and provincial legislation</i> " with " <i>national or provincial legislation</i> ". Replace " <i>competitive, cost-effective</i> " with " <i>competitive</i> ".

			<i>and cost-effective,".</i>
118.	85	215(2)	Delete "as".
119.	86	217(1)(c)	Replace " <i>the local government body established</i> " with " <i>organised local government</i> ".
120.	87	220(2)	Remove comma after " <i>but</i> ".
121.	87	223(4)	Replace " <i>a provision in its</i> " with " <i>a provision of its</i> ".
122.	88	225(1)	Replace " <i>duties; but,</i> " with " <i>duties, but</i> ".
123.	88	226(1)	Replace " <i>legislation; but,</i> " with " <i>legislation, but</i> ".
124.	89	227(2)	Replace " <i>tabled in the National Assembly and the National Council of Provinces</i> " with " <i>tabled in the Assembly and the Council</i> ".
125.	89		Replace part-heading " <i>Transition and commencement</i> " with " <i>Other matters</i> ".
126.	90	233	Replace " <i>item 20</i> " with " <i>items 6 and 20</i> ".
127.	90	234	Replace " <i>comes into force</i> " with " <i>takes effect</i> ". Delete " <i>in the national Government Gazette</i> ".
128.		Schedule 2	Replace the heading with " <i>Oaths and Solemn Affirmations</i> ".
129.	93	Schedule 2 Item 1	Replace " <i>promote the fundamental rights</i> " with " <i>promote the rights</i> ".
130.	94	Schedule 2 Item 4(1)	Add at the end: " <i>(In the case of an oath: So help me God.)</i> ".
131.	95	Schedule 2 Item 5	Replace " <i>another judge</i> " with " <i>a judge</i> ".
132.	97	Schedule 3	In the part-heading for Part A, replace " <i>Office Bearers</i> " with " <i>Office-Bearers</i> ".
133.	101	Schedule 4	Replace heading with " <i>Legislative Competences: Concurrent Functional Areas</i> ".
134.	101	Schedule 4 Part A	Replace " <i>SABC</i> " with " <i>South African Broadcasting Corporation</i> " Replace " <i>section 180</i> " with " <i>Section 188</i> ".
135.	103	Schedule 5 Item 2(1)(b)	Replace " <i>ground</i> " with " <i>grounds</i> ".
136.	103	Schedule 5 Item 2(2)	Replace " <i>which</i> " with " <i>that</i> ".

137.	103	Schedule 5 Item 3(1)(c)	Delete " <i>Executive</i> " in the third line.
138.	105	Schedule 5 Item 5	Replace " <i>takes</i> " with " <i>took</i> " in both sub-items.
139.	105	Schedule 5 Item 6(2)	Replace "45" with "44".
140.	105	Schedule 5 Item 6(2)(b)	Replace " <i>vote of no-confidence</i> " with " <i>motion of no-confidence</i> " in both cases.
141.	106	Schedule 5 Item 7(1)	Replace " <i>for the period until immediately before the</i> " with " <i>until the commencement of the</i> ".
142.	106	Schedule 5 Item 7(2)	Insert a comma after " <i>province</i> " and a comma after " <i>legislature</i> ".
143.	106	Schedule 5 Item 7(4)	Remove comma after " <i>took effect</i> ".
144.	106	Schedule 5 Item 9(1)	Replace " <i>but</i> " with ", ".
145.	107	Schedule 5 Item 9(2)	Replace "92" with "94".
146.	107	Schedule 5 Item 10(3)	Replace "107(4)" with "106(4)".
147.	107	Schedule 5 Item 11	Replace " <i>Composition and election</i> " with " <i>Composition and election of provincial legislatures</i> ".
148.	110	Schedule 5 Item 17(1)	Delete " <i>or</i> " at end of (f) and insert at the end of (g) " <i>; or (h) the Pan South African Language Board</i> ".
149.	113	Annexure A Item 9	Replace "6" with "16".
150.	121	Schedule 6 opposite " <i>Act 24 of 1994</i> "	In the title, replace " <i>Fifth</i> " with " <i>Sixth</i> ".
151.	121	Schedule 6 opposite " <i>Act 29 of 1994</i> "	In the title, replace " <i>Sixth</i> " with " <i>Fifth</i> ".

Table of Non-Derogable Rights

1 Section Number	2 Section Title	3 Extent to which the right is protected
11	Equality	With respect to race and sex only
12	Human Dignity	Entirely
13	Life	Entirely
14	Freedom and Security of the person	With respect to subsection (1)(d), (1)(e) and (2)(c) only
15	Slavery, servitude and forced labour	With respect to slavery and servitude only
30	Children	With respect to subsection (1)(d), (1)(e), (1)(g)(i) and (1)(g)(ii) only
36	Arrested, detained and accused persons	With respect to the following subsections only: (1)(a), (b) and (c) (2)(d) (3)(a), (b), (c), (e), (f), (g), (h), (i), (j), (k), (l), (m) and (o) (4)