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GOVERNMENT GAZETTE

STAATSKOERANT

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No. 17117

PRESIDENT'S OFFICE

No. 696.

24 April 1996

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

No. 26 of 1996: Constitution of the Republic of South Africa: Third Amendment Act, 1996.

KANTOOR VAN DIE PRESIDENT

No. 696.

24 April 1996

Hierby word bekend gemaak dat die President sy goedkeuring geheg het aan die onderstaande Wet wat hierby ter algemene inligting gepubliseer word:—

No. 26 van 1996: Derde Wysigingswet op die Grondwet van die Republiek van Suid-Afrika, 1996.

GENERAL EXPLANATORY NOTE:

[] Words in bold type in square brackets indicate omissions from existing enactments.

 Words underlined with a solid line indicate insertions in existing enactments.

ACT

To amend the Constitution of the Republic of South Africa, 1993, so as to make further provision in relation to the adoption of the new constitutional text; and to provide for matters connected therewith.

(English text signed by the President.)
(Assented to 16 April 1996.)

BE IT ENACTED by the Constitutional Assembly, as follows:—

Substitution of section 73 of Act 200 of 1993

1. The following section is hereby substituted for section 73 of the Constitution of the Republic of South Africa, 1993:

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“Adoption of new constitutional text

73. (1) The Constitutional Assembly shall pass the new constitutional text within two years as from the date of the first sitting of the National Assembly under this Constitution.

(2) For the passing of the new constitutional text by the Constitutional Assembly, a majority of at least two-thirds of all the members of the Constitutional Assembly shall be required: Provided that provisions of such text relating to the boundaries, powers and functions of provinces shall not be considered passed by the Constitutional Assembly unless approved also by a majority of two-thirds of all the members of the Senate. 10 15

(3) If the Constitutional Assembly fails to pass a proposed draft of the new constitutional text in accordance with [subsection (2)], subsections (1) and (2), but such draft is supported by a majority of all its members, such proposed draft shall be referred by the Chairperson to the panel of constitutional experts referred to in section 72(2) for its advice, to be given within 30 days of such referral, on amendments to the proposed draft, within the framework of the Constitutional Principles, which might secure the support required in terms of subsection (2). 20