

Cabinet approves Amendment Bills

Cabinet has approved a few Amendment Bills during its ordinary meeting this week.



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Among the Amendment Bills are the South African Broadcasting Corporation (SABC) Bill of 2022, the National Sport and Recreation Amendment Bill of 2022, Constitution Eighteenth Amendment Bill of 2022, Criminal Law (Sexual Offences and Related Matters) Amendment Bill of 2022, and the South African Post Office (SAPO) Amendment Bill.

The National Sport and Recreation Amendment Bill of 2022 amends the National Sport and Recreation Act, of 1998 (Act 110 of 1998).

Briefing the media on Thursday, following a Cabinet meeting, Minister in the Presidency, Mondli Gungubele, said the Bill also amends certain definitions and amongst other interventions, it proposes the establishment of the Sports Arbitration Tribunal to resolve disputes between sport or recreation bodies.

“It outlines procedures to be followed for bidding for international events. The proposed amendments also empower the

Minister of Sport, Arts and Culture to make regulations for vulnerable groups to participate in sport and be protected from any form of sexual abuse or exploitation,” Gungubele said.

He said the Bill has already been published for public consultation.

Constitution Eighteenth Amendment Bill of 2022

Cabinet has also approved the submission of the Constitution Eighteenth Amendment Bill of 2022 to Parliament for further processing.

Gungubele said the Bill amends Section 6 of the Constitution of the Republic of South Africa of 1996 to recognise South African Sign Language as one of the official languages.

“In May 2022, Cabinet approved the publication and giving of notice to this Bill, which together with the notice were subsequently gazetted in July 2022,” Gungubele said.

Criminal Law (Sexual Offences and Related Matters) Amendment Bill of 2022

Cabinet further approved the publishing of Criminal Law (Sexual Offences and Related Matters) Amendment Bill of 2022 for public comments.

The Bill repeals the Sexual Offences Act (previously Immorality Act), 1957 (Act 23 of 1957), and Section 11 of the Criminal Law (Sexual Offences and Related Matters) Amendment Act, 2007 (Act 32 of 2007) to decriminalise the sale and purchase of adult sexual services.

Gungubele noted that the proposals of the Bill respond to the list of interventions proposed in Pillar 3 (Protection, Safety and Justice) of the National Strategic Plan on Gender-Based Violence and Femicide (GBVF), which enjoins the criminal justice system to provide protection, safety and justice for survivors of GBVF, and to effectively hold perpetrators accountable for their actions.

Once passed into law, the Minister said the Bill will amongst others protect sex workers against abuse and exploitation.

South African Post Office Amendment Bill

Cabinet has also approved the submission of the SAPO Amendment Bill, which was approved for public consultation early this year to amend the SAPO Act, 2011 (Act 22 of 2011).

“The proposed amendments seek to enable the SAPO to adapt to the technological developments in the courier-service space and expand its mandate. The changes are in line with the National Integrated Information and Communications Technology Policy White Paper of 2016,” Gungubele explained.

South African Broadcasting Corporation Bill of 2022

Meanwhile, Cabinet has approved the submission to Parliament of the SABC Bill of 2022 for processing.

The Bill was published for public comment in June 2021.

Once passed into law by Parliament, Gungubele said the current Broadcasting Act, 1999 (Act 4 of 1999) will be repealed.

“The Bill amongst others proposes reducing the size of non-executive Board members from 12 to 11 and the executive members from three to two. It revised the governance structure and funding model of the SABC.”

Repeal of the Transkeian Penal Code Bill of 2022

Cabinet has also approved the submission to Parliament of the Repeal of the Transkeian Penal Code Bill of 2022 for further processing.

The Bill repeals the Transkeian Penal Code, 1983 (Act 9 of 1983) which codified criminal law in the former Transkei (now Eastern Cape).

“The proposed Bill extends the current application of common laws to the former Republic of Transkei in line with our unitary system of the country’s judicial system. The Transkeian Penal Code is in conflict with the current common criminal law that regulates the same subject matter in different parts of the country.

“This repeal will remove the continued existence of apartheid-era legislation in the areas that were formerly known as the Republic of Transkei and provide the transitional arrangements on matters dealt with by this code,” Gungubele explained.

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