

OFFICE OF THE PRESIDENT

No. 989.

3 July 1995

NO. 20 OF 1995: CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA AMENDMENT ACT, 1995.

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

GENERAL EXPLANATORY NOTE:

- \*\*        \*\*        Words between two asterisks indicate omissions from existing enactments.
- <<       >>        Words between two pointed brackets indicate insertions in existing enactments.

ACT

To amend the Constitution of the Republic of South Africa, 1993, so as to extend the periods of time within which certain functions must be carried out; to alter the names of three of the provinces of the Republic; and to provide for matters connected therewith.

(English text signed by the President.)  
(Assented to 29 June 1995.)

BE IT ENACTED by the Parliament of the Republic of South Africa, as follows:

Amendment of section 236 of Act 200 of 1993

1. Section 236 of the Constitution of the Republic of South Africa, 1993 (hereinafter referred to as the principal Act), is hereby amended by the substitution for subsection (6) of the following subsection:

" (6) Notwithstanding the provisions of this section, the conclusion or amendment of a contract, the appointment or promotion, or the award of a term or condition of service or other benefit, which occurred \*\*or may occur\*\* between 27 April 1993 and 30 September 1994 in respect of any person \*\*referred to in subsection (2)\*\* <<employed at any time during the said period by an institution referred to in subsection (1)>>, or any class of such persons, may, at the instance of a Minister or a member of the Executive Council of a province, within one year <<and three months>> of the commencement of this Constitution be \*\*reviewed by\*\* <<referred to>> a commission appointed by the President and presided over by a judge, <<for review,>> and if not proper or justifiable in the circumstances of the case, the commission may reverse or alter the contract, appointment, promotion. or award <<before 31 December 1995>>.".

Amendment of section 237 of Act 200 of 1993, as amended by section 8 of Act 29 of 1994

2. Section 237 of the principal Act is hereby amended by the substitution in subsection (4) for paragraph (e) of the following paragraph:

"(e) This subsection and the Act of Parliament contemplated in paragraph (a) shall lapse-

<<(i) in respect of the National Defence Force, on 31 December 1998; and

(ii) in respect of any other institution,>> **one year** <<two years>> from the commencement of this Constitution, save that any matter properly before the court referred to in paragraph (a) on **that date** <<the dates contemplated in subparagraphs (i) and (ii), respectively,>> shall be heard and determined as if this subsection and the said Act had not lapsed. ".

Substitution of names of provinces in Act 200 of 1993

3. The principal Act is hereby amended by the substitution for the expressions "Pretoria-Witwatersrand-Vereeniging", "Orange Free State" and "Province of Northern Transvaal", wherever they occur, of the expressions "Gauteng", "Free State" and "Northern Province", respectively.

Short title

4. (1) This Act shall be called the Constitution of the Republic of South Africa Amendment Act, 1995;

(2) Sections 1 and 2 shall be deemed to have come into operation on 26 April 1995.