REPUBLIC OF SOUTH AFRICA

SOUTH AFRICAN SPORTS COMMISSION AMENDMENT BILL

(As introduced in the National Assembly as a section 75 Bill)

(MINISTER OF SPORT AND RECREATION)

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REPUBLIEK VAN SUID-AFRIKA

WYSIGINGSWETSONTWERP OP DIE SUID-AFRIKAANSE SPORTKOMMISSIE

(Soos ingedien in die Nasionale Vergadering **17s** *'n artikel 75-wetsontwerp)*

(MINISTER VAN SPORT EN ONTSPANNING)

ISBN 0 621290041

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.

BILL

To amend the South African Sports Commission Act. 1998. so as to provide for the appointment of the Chairperson and Deputy Chairperson of the Commission on a part-time basis; and the appointment of an interim Chairperson; and to provide for matters connected therewith.

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

Amendment of section 4 of Act 109 of 199S

1. Section 4 of the South African Sports Commission Act. 1998. is amended by the substitution for subsection (2) of the following subsection:

"(2) *(a)* The Chairperson and Deputy Chairperson must be appointed by the Minister and will serve on a **[full time]** part-time basis.

(b) The Minister may appoint an interim Chairperson to convene the General Assembly for the purpose of electing the nine members mentioned in subsection (1)*(c)* who will serve the initial period mentioned in section 5.

(c) All other members of the Commission will serve on a part-time basis.'..

Short title

2. This Act is called the South African Sports Commission Amendment Act. 1999.

MEMORANDUM ON THE OBJECTS OF THE SOUTH AFRICAN SPORTS COMMISSION AMENDMENT BILL, 1999

PART 1

BACKGROUND

1. This Bill provides for the part-time appointment of the Chairperson and Deputy Chairperson by the Minister as well as for the Minister to appoint an interim Chairperson to convene the General Assembly for the purpose of electing the nine members mentioned in section 4(1)(c) read with section 5 of the South African Sports Commission Act, 1998 (Act No. 109 of 1998).

2. The basis for these amendments are as follows:

The substitution of the appointments of a full-time Chairperson and Deputy Chairperson for a part-time Chairperson and Deputy Chairperson are necessary as the envisaged Sports Commission is not comparable to other government Commissions which generally are of limited duration. have a specific issue to examine and tend to be driven by the chairperson. Instead it would be more like a business entity in that it will be expected to raise additional funding from the private sector and will accordingly be run by the Chief Executive Officer.

3. The General Assembly needs to be convened before the Commission is set up and before the Minister will be in a position to appoint a Chairperson of the Commission. It follows therefore that the Minister should be empowered to appoint an interim Chairperson to convene the General Assembly for the purpose mentioned in paragraph 1.

PART 2

IMPLICATIONS FOR PROVINCES

None

PART 3

IMPLICATIONS FOR LOCAL GOVERNMENT

None

PART 4

OTHER BODIES CONSULTED

The following bodies/departments are in the process of being consulted:

* The provincial departments of Sports and Recreation
* The National Sports Council (NSC)
* The National Olympic Committee of South Africa (NOCSA)
* The South African National Recreation Council (SANREC)
* Women and Sport South Africa (WASSA)
* The Departments of—
    * Finance: and
    * Public Service and Administration

PART 5

PARLIAMENTARY PROCEDURE

The Department and the State Law Adviser are of the opinion that this Bill should be dealt with in terms of section 75 of the Constitution.