

NATIONAL COUNCIL OF PROVINCES (PERMANENT DELEGATES VACANCIES) ACT 17 OF 1997

[ASSENTED TO 20 MAY 1997]

[DATE OF COMMENCEMENT: 23 MAY 1997]

(English text signed by the Acting President)

ACT

To make provision for the filling of vacancies among the permanent delegates to the National Council of Provinces; and to provide for matters connected therewith.

1 Definitions

In this Act, unless the context indicates otherwise-

'National Council of Provinces' means the National Council of Provinces referred to in section 42 (1) (b) of the Constitution;

'permanent delegate' means a permanent delegate contemplated in section 60 (2) (b) of the Constitution;

'provincial legislature' means a provincial legislature contemplated in section 104 of the Constitution.

2 Vacancies among permanent delegates

(1) Within seven days after the occurrence of a vacancy among the permanent delegates to the National Council of Provinces, the Chairperson of the National Council of Provinces shall in writing inform the Speaker of the relevant provincial legislature of such vacancy.

(2) The Speaker concerned shall forthwith in writing call upon the party which nominated the vacating permanent delegate to nominate a person in his or her stead.

(3) After a person has been nominated in writing by the party concerned, the person shall be appointed as a permanent delegate by the provincial legislature-

- (a) within 14 days of the date upon which the nomination is received by the Speaker if that provincial legislature is then in session; or
- (b) if that provincial legislature is not in session when the nomination is received, within 14 days after the commencement of the next session.

(4) Immediately after the appointment of a permanent delegate in terms of subsection (3), the Speaker of the provincial legislature concerned shall inform the Chairperson of the National Council of Provinces of such appointment in writing.

3 Short title

This Act shall be called the National Council of Provinces (Permanent Delegates Vacancies) Act, 1997.