REPUBLIC OF SOUTH AFRICA

REGULATION OF INTERCEPTION OF COMMUNICATIONS AND PROVISION OF COMMUNICATION-RELATED INFORMATION AMENDMENT BILL

(As introduced in the National Assembly (proposed section 75); explanatory summary of Bill and prior notice of its introduction published in Government Gazette No. 49189 of 25 August 2023)
(The English text is the official text of the Bill)

(MINISTER OF JUSTICE AND CORRECTIONAL SERVICES)

[B 28—2023]

ISBN 978-1-4850-0892-7

No. of copies printed 150

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 Regulation of Interception of Communications and Provision of Communication-related Information Act, 2002, so as to insert certain definitions; to provide for the designation of an independent designated judge; to provide for the designation of an independent review judge; to provide for the powers and functions of the review judge; to provide for the tenure of designated and review judges; to provide for adequate safeguards where the subject of surveillance is a journalist or practising lawyer; to provide for post-surveillance notification; to provide for adequate safeguards to address the fact that interception directions are sought and obtained *ex parte*; to provide for adequate procedures to ensure that data obtained pursuant to the interception of communications is managed lawfully and not used or interfered with unlawfully; to provide for procedures to be followed for processing, examining, copying, sharing, disclosing, sorting through, using, storing or destroying of any data; to provide for principles for the safeguarding of data when dealing with the management of data; and to provide for matters connected therewith.

PARLIAMENT of the Republic of South Africa enacts, as follows:—

Amendment of section 1 of Act 70 of 2002, as amended by section 1 of Act 48 of 2005, as amended by section 97 of Act 36 of 2005, as amended by section 36 of Act 1 of 2011 and section 53 of Act 11 of 2013

1. Section 1 of the Regulation of Interception of Communications and Provision of Communication-related Information Act, 2002 (Act No. 70 of 2002) (hereinafter referred to as the ''principal Act''), is hereby amended—

(a) by the substitution for the definition of ''designated judge'' of the following definition:

''**'designated judge'** means **[any judge of a High Court discharged from active service under section 3(2) of the Judges' Remuneration and Conditions of Employment Act, 2001 (Act 47 of 2001), or any retired judge, who is designated by the Minister to perform the functions of a designated judge for purposes of this Act]** a judge contemplated in section 15A of this Act;'';

(b) by the insertion after the definition of ''premises'' of the following definition:

''**'prescribe'** means prescribed by regulation;'';

(c) by the insertion after the definition of ''relevant Ministers'' of the following definitions:

''**'review judge'** means a judge contemplated in section 15B of this Act;'';

(d) by the deletion of the definition of ''Telecommunications Act'';
(e) by the substitution for the full stop at the end of the definition of ''Telecommunications Act'' of the expression ''; and''; and
(f) by the addition after the definition of ''Telecommunications Act'' the following definition:

''**'this Act'** includes the regulations made in terms of this Act.''.

Insertion of Chapter 2A in Act 70 of 2002

2. The following Chapter is hereby inserted after Chapter 2 of the principal Act:

''**CHAPTER 2A**

DESIGNATION AND TENURE OF DESIGNATED AND REVIEW JUDGE, POWERS AND FUNCTIONS OF REVIEW JUDGE, AND AUTOMATIC REVIEWS

''**Designated judge**

15A. (1) Any judge of a High Court—
(a) discharged from active service under section 3(2) of the Judges' Remuneration and Conditions of Employment Act, 2001 (Act 47 of 2001); or
(b) who is retired,
may, subject to subsection (2), be designated as a designated judge for purposes of this Act.

(2) The Minister must designate a judge as contemplated in subsection (1) in consultation with the Chief Justice, by notice in the *Gazette.*

(3) A designated judge must perform all the functions conferred upon him or her by this Act, independently and without fear, favour or prejudice.

(4) The designated judge has all the powers and functions as set out in this Act.

(5) The designated judge must, in respect of an application in terms of sections 16, 17, 18, 19, 20, 21 or 22, within five days of a decision to issue an order, judgment, direction, entry warrant, deferral order, declaratory order, subpoena, notice or other process, refer the information or documentation considered in arriving at his or her decision together with a copy of the decision to the review judge.

(6) The designated judge must, in respect of an application in terms of section 23—
(a) immediately after issuing a direction or entry warrant under section 23(3), refer a copy of his or her decision to the review judge; or
(b) immediately after issuing an oral direction or an oral entry warrant under section 23(7), refer his or her decision to the review judge and in terms of section 23(10)*(b)*, immediately refer a copy of the written confirmation of the decision to the review judge; and
(c) immediately after a decision under section 23(11) to confirm, vary or cancel a direction, entry warrant, oral direction or oral entry warrant, refer the written application and any information or documentation in terms of section 23(4)*(b)* together with a copy of the decision to the review judge.

(7) Any decision made by the designated judge may be executed immediately upon receipt thereof by the applicant, pending the review thereof by the review judge in terms of section 15C(1).''.

''**Review judge**

15B. (1) Any judge of a High Court—
(a) discharged from active service under section 3(2) of the Judges' Remuneration and Conditions of Employment Act, 2001 (Act 47 of 2001); or

(b) who is retired,

may, subject to subsection (2), be designated as a review judge for purposes of this Act.

(2) The Minister must designate a judge as contemplated in subsection (1) in consultation with the Chief Justice, by notice in the *Gazette.*

(3) A review judge must perform all the functions conferred upon him or her by this Act, independently and without fear, favour or prejudice.''.

''**Powers and functions of review judge**

15C. (1) The review judge must consider and either confirm, vary or set aside any decision made by the designated judge in terms of this Act and in respect of an application in terms of section 16, 17, 18, 19, 20, 21 or 22, do so within five days of receipt of the information or documentation considered by the designated judge and the copy of the decision of the designated judge.

(2) The review judge must consider and either confirm, vary or set aside any decision made by the designated judge in terms of this Act and in respect of an application in terms of section 23, do so immediately or as soon as practicable upon receipt of a decision by the designated judge in terms of section 15A(6).

(3) Any decision contemplated in subsection (1) must be served or delivered in the manner provided for in this Act or as directed by the review judge to the designated judge, who must inform the applicant of the decision of the review judge.

(4) Any decision by the review judge must be executed immediately upon receipt thereof by the applicant.

(5) The review judge must keep record of—

(a) the exercise of any power; and

(b) the performance of any function.''.

''**Tenure of designated and review judges**

15D. (1) The tenure of a designated and review judge is for a non-renewable period not exceeding seven years.

(2) The designation of a judge contemplated in sections 15A and 15B comes to an end upon the—

(a) completion of the period contemplated in subsection (1);

(b) acceptance by the Minister, in consultation with the Chief Justice, of a request to resign; or

(c) death of the judge.''.

Insertion of section 23A in Act 70 of 2002

3. The following section is hereby inserted after section 23 of the principal Act:

''**Disclosure that person in respect of whom direction, extension of direction or entry warrant is sought is journalist or practising lawyer**

23A. (1) Where the person in respect of whom a direction, extension of a direction or entry warrant is sought in terms of section 16, 17, 18, 19, 20, 21, 22 or 23, whichever is applicable, is a journalist or practising lawyer, the application must disclose to the designated judge the fact that the intended subject of the direction, extension of a direction or entry warrant is a journalist or practising lawyer.

(2) If the designated judge issues the direction, extension of a direction or entry warrant, she or he may do so subject to such conditions as may be necessary, in the case of a journalist, to protect the confidentiality of her or his sources, or, in the case of a practising lawyer, to protect the legal professional privilege enjoyed by her or his clients.''.

Insertion of section 25A in Act 70 of 2002

4. The following section is hereby inserted after section 25 of the principal Act:

"**Post-surveillance notification**

25A. (1) Within 90 days of the date of expiry of a direction or extension thereof issued in terms of section 7, 8, 16, 17, 18, 19, 20, 21 or 23, whichever is applicable, the applicant that obtained the direction or, if not available, any other law enforcement officer within the law enforcement agency concerned must notify, in writing, the person who was the subject of the direction and, within 15 days of doing so, certify in writing to the designated judge, Judge of a High Court, Regional Court Magistrate or Magistrate that the person has been so notified.

(2) If the notification contemplated in subsection (1)—

(a) cannot be given without jeopardising the purpose of the surveillance, the designated judge, Judge of a High Court, Regional Court Magistrate or Magistrate may, upon application by a law enforcement officer, direct that the giving of notification be withheld for a period which must not exceed 90 days at a time or two years in aggregate; or

(b) has the potential to impact negatively on national security, the designated judge may, upon application by a law enforcement officer, direct that the giving of notification be withheld for such period as may be determined by the designated judge.".

Amendment of section 35 in Act 70 of 2002

5. Section 35 of the principal Act is hereby amended—

(a) by the deletion in subsection (1) of paragraph *(f)*; and

(b) by the deletion in subsection (1) of paragraph *(g)*.

Amendment of section 37 in Act 70 of 2002

6. Section 37 of the principal Act is hereby amended by the substitution of subsection (1) for the following subsection:

"(1) The head of an interception centre must keep or cause to be kept proper records of such information as may be prescribed **[by the Director in terms of section 35(1)*(f)*]**.".

Insertion of section 37A in Act 70 of 2002

7. The following section is hereby inserted after section 37 in the principal Act:

"**Management of data**

37A. (1) The procedures to be followed for the processing, examining, copying, sharing, disclosing, sorting through, using, storing or destroying of any data obtained pursuant to, and resulting from the interception of communications in terms of this Act and section 205 of the Criminal Procedure Act, 1977, must be in the prescribed manner and on the prescribed conditions.

(2) The development of procedures in terms of subsection (1) must take into account principles for the safeguarding of data, including—

(a) accountability, together with conditions for lawful processing, examining, copying, sharing, disclosing, sorting through, using, storing or destroying;

(b) processing limitations, including processing in a lawful and reasonable manner and not processing more data than what is required in respect of the purpose;

(c) purpose-specific processing of data, including processing for a lawful purpose which is explicit, not retaining data for longer than is necessary in connection with the purpose for which it was obtained and reviewing compliance with destruction instructions;

(d) limitation on the use of data for a lawful purpose, including restricting access to data on certain conditions, conditions for sharing and disclosing data and limitations on the copying of data, including the keeping of relevant records;

(e) openness and transparency;

(f) conditions for the storage of data, including the type of data stored and the manner of storage;

(g) security safeguards, including controlled access to data, processes to prevent unlawful modification and unauthorised disclosure, procedures to identify any foreseeable internal and external risks, and policies and procedures to safeguard information; and

(h) participation of the data subject, through post-surveillance notification.''.

Insertion of section 62D in Act 70 of 2002

8. The following section is hereby inserted after section 62C of the principal Act:

''**Regulations**

62D. (1) The Minister may make regulations prescribing—

(a) any matter required or permitted by this Act to be prescribed;

(b) any matter necessary to be prescribed for carrying out or giving effect to this Act.

(2) Any regulation made in terms of this section—

(a) which may result in the expenditure of State monies must be made in consultation with the Minister of Finance; or

(b) which has a bearing on a designated or review judge, must be made in consultation with the Chief Justice.''.

Laws amended

9. The laws referred to in the second column of the Schedule are hereby amended to the extent indicated in the third column of the Schedule.

Transitional provisions

10. (1) Any judge whose designation prior to the commencement of the Regulation of Interception of Communications and Provision of Communication-related Information Amendment Act, 2023, is still in force, will remain in force for five years from the date of commencement of the Regulation of Interception of Communications and Provision of Communication-related Information Amendment Act, 2023.

(2) Any order, judgment, direction, entry warrant, deferral order, declaratory order, oral direction, oral entry warrant, subpoena, notice or other process issued or made prior to the commencement of the Regulation of Interception of Communications and Provision of Communication-related Information Amendment Act, 2023 which is still in force on the date of commencement of that Act, must be regarded as having been issued under that Act and remains in force until the period or extended period for which that order, judgment, direction, entry warrant, deferral order, declaratory order, oral direction, oral entry warrant, subpoena, notice or other process was issued or made, lapses.

(3) As from the date of the commencement of the Regulation of Interception of Communications and Provision of Communication-related Information Amendment Act, 2023, all pending matters must be further dealt with in terms of the Regulation of Interception of Communications and Provision of Communication-related Information Amendment Act, 2023.

Amendment of Arrangements of Sections of Act 70 of 2002

11. The Arrangement of Sections of the principal Act is hereby amended—

(a) the insertion after item 15 of the following heading and items:

"CHAPTER 2A

DESIGNATION AND TENURE OF DESIGNATED AND REVIEW JUDGE, POWERS AND FUNCTIONS OF REVIEW JUDGE, AND AUTOMATIC REVIEWS

15A. Designated judge
15B. Review judge
15C. Powers and functions of review judge
15D. Tenure of designated and review judges";

(b) by the insertion after item 23 of the following item:

"23A. Disclosure that the person in respect of whom a direction, extension of a direction or entry warrant is sought is a journalist or practising lawyer";

(c) by the insertion after item 25 of the following item:

"25A. Post-surveillance notification";

(d) by the insertion after item 37 of the following item:

"37A. Management of data"; and

(e) by the insertion after item 62C of the following item:

"62D. Regulations".

Short title and commencement

12. This Act is called the Regulation of Interception of Communications and Provision of Communication-related Information Amendment Act, 2023, and comes into operation on a date fixed by the President by proclamation in the *Gazette*.

SCHEDULE

AMENDMENTS

(Section 9)

Number and year of law	Short title	Extent of amendment
Act No. 40 of 1994	Intelligence Services Oversight Act, 1994	The amendment of section 3 by the substitution in paragraph *(a)* for subparagraph (iii) of the following subparagraph: ''(iii) any designated judge and review judge as **[defined in section 1]** designated in terms of sections 15A and 15B of the Regulation of Interception of Communications and Provision of Communication-related Information Act, 2002 (Act 70 of 2002), a report regarding the functions performed by him or her in terms of that Act, including statistics regarding such functions, together with any comments or recommendations which such designated judge and review judge may deem appropriate: Provided that such report shall not disclose any information contained in an application or direction referred to in that Act;''.

MEMORANDUM ON THE OBJECTS OF THE REGULATION OF INTERCEPTION OF COMMUNICATIONS AND PROVISION OF COMMUNICATION-RELATED INFORMATION AMENDMENT BILL, 2023

PURPOSE OF BILL

1. The purpose of the Regulation of Interception of Communications and Provision of Communication-related Information Amendment Bill, 2023 (''the Bill''), is to amend the Regulation of Interception of Communications and Provision of Communication-related Information Act, 2002, (Act No. 70 of 2002) (''the RICA''), to give effect to the Constitutional Court judgment in *Amabhungane Centre for Investigative Journalism and Others v Minister of Justice and Correctional Services and Others* [2021] ZACC 3. The Constitutional Court declared RICA unconstitutional, to the extent that it fails to provide adequate safeguards to protect the right to privacy, as buttressed by the rights of access to courts, freedom of expression and the media, and legal privilege. Parliament was given three years from 4 February 2021 to rectify the position.

2. The Bill gives effect to the Constitutional Court's judgment by providing for the notification of persons of their surveillance as soon as the notification can be given without jeopardising the purpose thereof after surveillance has been terminated. The Bill seeks to provide for the designation of an independent designated judge, the designation of an independent review judge, powers and functions of the review judge and the tenure of designated and review judges. It also seeks to provide for safeguards to address the fact that interception directions are sought and obtained *ex parte*. It further provides for procedures to ensure that data obtained pursuant to the interception of communications is managed lawfully and not used or interfered with unlawfully. The Bill further seeks to provide for procedures to be followed in examining, copying, sharing, sorting through, using, storing or destroying the data. Finally, the Bill provides for adequate safeguards where the subject of surveillance is a practising journalist or lawyer.

CLAUSE-BY-CLAUSE ANALYSIS

3. Clause 1 seeks to amend section 1 of RICA, by the substitution of the definition of ''designated judge'', the deletion of the definition of ''Telecommunications Act'' and the insertion of definitions of ''prescribe'', ''review judge'' and ''this Act''.

4. Clause 2 inserts Chapter 2A in RICA.

5. Proposed new section 15A provides for the designation of a designated judge. The Minister must designate a designated judge in consultation with the Chief Justice, by notice in the *Gazette*. A designated judge must perform all the functions conferred upon them independently and without fear, favour or prejudice. A designated judge is required to, in respect of an application in terms of section 16, 17, 18, 19, 20, 21 or 22, within five days of his or her decision to issue an order, judgment, direction, entry warrant, deferral order, declaratory order, subpoena, notice or other process, refer his or her the information or documentation considered in arriving at his or her decision together with a copy of the decision to the review judge. The clause also requires the designated to, in respect of applications in terms of section 23, after issuing a direction or entry warrant under subsection (3), or for an oral direction or an oral entry warrant under subsection (7); and for a decision under subsection (11) immediately refer a copy of his or her decision to the review judge. The clause further makes provision for the immediate implementation of the decision by the designated judge pending the review thereof by the review judge in terms of section 15C(1).

6. Proposed new section 15B provides for the designation of a review judge. The Minister must designate a review judge in consultation with the Chief Justice, by notice in the *Gazette*. A review judge must perform all the functions conferred upon them independently and without fear, favour or prejudice.

7. Proposed new section 15C provides for the powers and functions of the review judge and provides, *inter alia*, that the judge must, in respect of an application in terms of section 16, 17, 18, 19, 20, 21 or 22, within five days of the receipt of the information or documentation considered by the designated judge and the copy of the decision of the designated judge, consider and either confirm, vary or set aside the decision of the designated judge. The clause further requires the review judge to, in respect of an application in terms of section 23, confirm, vary or set aside any decision of a designated judge immediately or as soon as practicable upon receipt of the decision. The clause further provides that any decision by the review judge must be executed immediately upon receipt thereof by the applicant.

8. Proposed new section 15D provides for the tenure of the designated and review judges. It provides for a non-renewable period not exceeding seven years. It further provides for the termination of the tenure of designated and review judges.

9. Clause 3 inserts the new proposed section 23A in RICA. This clause provides that when the person in respect of whom a direction, extension of a direction or entry warrant is sought, is a journalist or practising lawyer, the designated judge must grant the direction, extension of a direction or entry warrant only if satisfied that it is necessary to do so, notwithstanding the fact that the subject is a journalist or practising lawyer, but on the conditions necessary to protect the confidentiality of a journalist's source or, in the case of a practising lawyer, to protect the legal professional privilege enjoyed by his or her clients.

10. Clause 4 inserts the new proposed section 25A in RICA to provide that within 90 days of the date of expiry of a direction or extension issued, the person who was the subject of the direction must be notified in writing of such direction. The applicant that obtained the direction or, if not available, any other law enforcement officer within the law enforcement agency concerned must within, 15 days of notifying the subject, certify in writing to the designated judge, Judge of a High Court, Regional Court Magistrate, or Magistrate that the person has been so notified. The clause also provides for the withholding of the notification for a period which must not exceed 90 days at a time or two years in aggregate on application to the designated judge, Judge of a High Court, Regional Court Magistrate, or Magistrate, if notification cannot be given without jeopardising the purpose of the surveillance, or if the notification has the potential to impact negatively on national security, such notification may, on application, be withheld for a period as may be determined by the designated judge.

11. Clause 5 amends section 35 of RICA by the deletion of paragraphs (*f*) and (*g*) of subsection (1). These paragraphs deal with prescribing information to be kept by the head of an interception centre and the manner in, and the period for, which such information must be kept.

12. Clause 6 amends section 37(1) of RICA by providing that the head of an interception centre must keep or cause to be kept proper records of such information as may be prescribed.

13. Clause 7 inserts the new proposed section 37A in RICA to provide that the procedures to be followed for the processing, examining, copying, sharing, disclosing, sorting through, using, storing or destroying of any data obtained pursuant and resulting from the interception of communications in terms of RICA and any other Act, must be in the prescribed manner and on the prescribed conditions. It also provides for the principles that must be taken into account regarding the management of data such as, *inter alia*, accountability, processing limitations, purpose-specific processing of data, conditions for the storage of data and security safeguards.

14. Clause 8 inserts the new proposed section 62D in RICA to provide that the Minister may make regulations. Any regulation made, which may result in the expenditure of State monies, must be made in consultation with the Minister of Finance, or any regulation which have a bearing on any designated or review judge, must be made in consultation with the Chief Justice.

15 Clause 9 provides for the laws amended and provides, in the Schedule, for the amendment of section 3 of the Intelligence Services Oversight Act, 1994 (Act No. 40 of 1994), by the substitution in paragraph *(a)* for subparagraph (iii). The amendment provides for the review judge to submit, in addition to the report by the designated judge, a report regarding his or her functions, together with any comments or recommendations which such review judge may deem appropriate: Provided that such report shall not disclose any information contained in an application or direction referred to in that Act.

16. Clause 10 provides for transitional measures. It provides that any judge whose designation prior to the commencement of Bill is still in force, will remain in force for five years from the date of commencement of the Bill. It provides that any order, judgment, direction, entry warrant, deferral order, declaratory order, oral direction, oral entry warrant, subpoena, notice or other process issued or made prior to the commencement of the Bill, which is still in force on the date of commencement of that Bill, must be regarded as having been issued under the Bill and remains in force until the period or extended period for which that order, judgment, direction, entry warrant, deferral order, declaratory order, oral direction, oral entry warrant, subpoena, notice or other process was issued or made, lapses. All pending matters must be further dealt with in terms of the Bill.

17. Clause 11 amends the arrangement of sections by inserting the new clauses provided for in the Bill.

18. Clause 12 contains the short title and date of commencement.

CONSULTATION

19. The Bill was developed in line with the Constitutional Court's judgment, and other relevant government departments were consulted.

IMPLICATIONS FOR PROVINCES

20. There are no implications for provinces.

FINANCIAL IMPLICATIONS FOR STATE

21. The financial implications to implement the Bill arise from the appointment of the review judge, and these costs are minimal as the judge is either retired or discharged from active service.

PARLIAMENTARY PROCEDURE

22. In *Tongoane and Others v Minister of Agriculture and Land Affairs and Other* 2010 (6) SA 214 (CC), (''Tongoane'') the Constitutional Court confirmed the test formulated in order to determine the classification of a Bill (''tagging test''). According to the CC, what matters for the purposes of tagging, is not the substance or purpose of the Bill, but rather whether the provisions of the Bill in ''substantial measure'' fall within a functional area listed in Schedule 4 to the Constitution of the Republic of South Africa, 1996 (''Constitution'').

23. In commenting on the ''substantial measure test'', the Constitutional Court made the following remarks:

> *"**[60]** The test for tagging must be informed by its purpose. Tagging is not concerned with determining the sphere of government that has the competence to legislate on a matter. Nor is the process concerned with preventing interference in the legislative competence of another sphere of government. The process is concerned with the question of how the Bill should be considered by the provinces and in the NCOP, and how a Bill must be considered by the provincial legislatures depends on whether it affects the provinces. The more it affects the interests, concerns and capacities of the provinces, the more say the provinces should have on its contentocess is concerned with the question of how the Bill should be*

considered by the provinces and in the NCOP, and how a Bill must be considered by the provincial legislatures depends on whether it affects the provinces. The more it affects the interests, concerns and capacities of the provinces, the more say the provinces should have on its content. . . .

[71] *On the other hand, the "substantial measure" test permits a consideration of the provisions of the Bill and their impact on matters that substantially affect the provinces. This test ensures that legislation that affects the provinces will be enacted in accordance with a procedure that allows the provinces to fully and effectively play their role in the law-making process. This test must therefore be endorsed.*

[72] *To summarise: any Bill whose provisions substantially affect the interests of the provinces must be enacted in accordance with the procedure stipulated in section 76. Whether a Bill is a section 76 Bill is determined in two ways. First, by the explicit list of legislative matters in section 76(3)(a)–(f), and second by whether the provisions of a Bill in substantial measure fall within a concurrent provincial legislative competence*.". **[Our emphasis]**

24. As stated above, a Bill, the provisions of which in substantial measure fall within a functional area listed in Schedule 4 to the Constitution, must be classified as a section 76 Bill. To test whether the provisions of a Bill fall within a functional area listed in Schedule 4, the cumulative effect of all the provisions of the Bill must be taken into account in order to determine its impact on the provinces.

25. The Bill proposes amendments to RICA to address the unconstitutionality of RICA. The Department and State Law Advisers are of the view that the subject matter of the Bill does not fall within any of the functional areas listed in Schedule 4 to the Constitution. In view of the above discussion, the State Law Advisers and the Department are of the opinion that the Bill must be dealt with in terms of section 75 of the Constitution.

26. The State Law Advisers are of the opinion that it is not necessary to refer the Bill to the National House of Traditional and Khoi-San Leaders in terms of section 39(1)(*a*)(i) of the Traditional and Khoi-San Leadership Act, 2019 (Act No. 3 of 2019), since the Bill does not contain any provisions which directly affect customary law or the customs of traditional or Khoi-San communities.

Printed by Creda Communications

ISBN 978-1-4850-0892-7