

DEPARTMENT OF TRADITIONAL AFFAIRS

NOTICE 1168 OF 2022

**PUBLICATION OF EXPLANATORY SUMMARY OF THE TRADITIONAL AFFAIRS  
GENERAL AMENDMENT BILL, 2022**

Notice is hereby given in terms of Rule 276(1)(b) of the Rules of the National Assembly that the Minister of Cooperative Governance and Traditional Affairs intends to introduce the Traditional Affairs General Amendment Bill, 2022, in the National Assembly shortly.

The explanatory summary of the Bill is hereby published in accordance with Rule 276(1)(c) of the Rules of the National Assembly:

The Bill proposes certain technical amendments to section 81 of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998) (Structures Act), and section 16 of the Traditional and Khoi-San Leadership Act, 2019 (Act No. 3 of 2019) (TKLA).

Section 81 of the Structures Act contains references to the Code of Conduct as it was provided for in the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000) (Systems Act). However, the Code of Conduct was recently removed from the Systems Act and inserted into the Structures Act through the Local Government: Municipal Structures Amendment Act, 2021 (Act No. 3 of 2021). Therefore, the references to the Code of Conduct in section 81 are outdated and should be corrected.

Section 16(3)(a) of the TKLA refers to a forum that has to be consulted by traditional leaders when they select the 60% component of a kingship/queenship council, principal traditional council and traditional council. However, the section contains a cross-reference to another forum provided for in the Act that may be interpreted as excluding senior traditional leaders. For purposes of legal certainty, it is proposed to amend section 16(3)(a) to provide clarity on which forum has to be consulted by the different leaders.

A copy of the Bill can be requested from [RinaldiB@cogta.gov.za](mailto:RinaldiB@cogta.gov.za) or [Danie@cogta.gov.za](mailto:Danie@cogta.gov.za). After introduction, a copy of the Bill may also be obtained from the Government Printers: Cape Town.