

REPUBLIC OF TRANSKEI CONSTITUTION ACT, 1976.

ACT NO. 15
OF 1976.

ACT

To constitute the Republic of Transkei and to provide for incidental matters.

PREAMBLE.

In the Name of God. Amen.

In the faith that the One Eternal God is the source of all authority, wisdom, justice and morality, and in humble acknowledgement that we and all mankind are subject to His Laws;

We, the people of Transkei rightfully represented in this Assembly, do hereby adopt, enact and give to ourselves this Constitution.

We solemnly resolve to constitute Transkei into a sovereign and independent Republic wherein its citizens and all others who dwell lawfully within its borders are assured of social, political and economic justice, freedom of speech, assembly and worship, and unimpeded access to and equality before the Law,

And we do further determine to use the powers which we do hereby take to ourselves for the promotion of the spiritual and material well-being of all in our midst, the maintenance of law and order, the defence of our country against its enemies and the furtherance of peace among the nations of the world.

BE IT THEREFORE ENACTED BY THE TRANSKEIAN LEGISLATIVE ASSEMBLY, as follows:-

CHAPTER 1.

REPUBLIC OF TRANSKEI.

*Establishment of
Republic of
Transkei.*

1. (1) Transkei consisting of the territories and districts mentioned in the first and second columns of Schedule 1, together with the seashore and territorial waters thereof and such other land as may be added thereto, is a sovereign independent State and a republic.
- (2) Umtata shall be the seat of government of the Republic of Transkei in all its activities.

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CHAPTER 2.

THE PRESIDENT.

2. (1) There shall be a President of the Republic of Transkei who shall be the Head of State and in his person a unifying symbol for all the peoples of Transkei. *Office and powers of President.*
- (2) Subject to the provisions of this Act, the President shall have power -
- (a) to appoint the times for the holding of sessions of Parliament and to prorogue Parliament;
 - (b) to dissolve the National Assembly;
 - (c) to appoint and accredit, to receive and to recognize ambassadors, plenipotentiaries, diplomatic representatives and other diplomatic officers, consuls and consular officials;
 - (d) to enter into and ratify international conventions, treaties and agreements;
 - (e) to confer honours;
 - (f) to pardon or reprove offenders either conditionally or unconditionally;
 - (g) to remit fines, penalties or forfeitures; and
 - (h) to declare war or to make peace and to proclaim or terminate martial law.
- (3) The President shall be the commander-in-chief of the defence forces of Transkei and, subject to such conditions as may be prescribed by or under any law, may -
- (a) mobilize and call out the defence forces or any part thereof for operational purposes or otherwise for the maintenance of law and order, the preservation of the peace, the protection of life, health or property or the provision or continuance of essential services; and
 - (b) confer commissioned rank in the defence forces on any person serving or qualified to serve therein and give to such person a commission under his hand.

diately prior to the commencement of this Act, possessed by the State President of the Republic of South Africa in his capacity as Head of State of that republic by way of prerogative.

- (b) The constitutional conventions which immediately prior to the commencement of this Act related to the exercise by the said State President of his powers, authorities and functions by way of prerogative or otherwise shall govern the exercise by the President of the powers, authorities and functions conferred upon him by this Act or any other law.

*Election of
President.*

3. (1) The President shall be elected at a meeting of the National Assembly sitting as an electoral college under the chairmanship of the Chief Justice or another judge.
- (2) Such meeting shall, in respect of the election of the first President, be held on the day of commencement of this Act and, in respect of any subsequent election, at the time and place fixed by the Speaker or, in his absence, the secretary of the National Assembly by notice published in the *Gazette* not later than fourteen days before the date of such meeting.
- (3) The date fixed by notice under subsection (2) shall be a date not earlier than three months and not later than fourteen days before the expiration of the period of office of the President or, if such office becomes vacant before that time, not later than three months after such office has become vacant.
- (4) No person may be elected or continue as President unless he -
- (a) is of or above the age of thirty years;
- (b) has resided for five years, whether before or after the commencement of this Act, within any district mentioned in Schedule 1; and
- (c) is qualified to be a member of the National Assembly.
- (5) The person elected as President shall, as from the day of his election, vacate every public office in respect of which he

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receives any remuneration or allowance from public funds: Provided that nothing in this subsection contained shall be construed as prohibiting the retention of his title by any paramount chief or chief who is so elected.

4. (1) Subject to the provisions of subsection (3), the Speaker may make rules regulating the procedure to be followed at a meeting held under section 3(1), including rules prescribing the form in which the nomination of candidates for election as President shall be made and rules prescribing the manner in which any ballot shall be conducted.
- (2) Until the Speaker makes rules in terms of subsection (1), the procedure to be followed at a meeting under section 3(1) shall be as follows:-
- (a) The chairman shall call for the nomination of candidates for election as President.
 - (b) Every such nomination shall be in writing and shall be signed by two members of the National Assembly and also by the person nominated unless he has in some other way signified his willingness to accept nomination or unless he is the person then holding office as President, in which event his nomination shall be by resolution under section 5(2).
 - (c) The chairman shall announce the name of every person duly nominated as candidate for election.
 - (d) If only one candidate has been nominated and such candidate complies with the provisions of section 3(4), the chairman shall declare him to be duly elected as President.
 - (e) If two or more candidates who comply with the provisions of section 3(4) have been nominated, the chairman shall cause a vote to be taken by secret ballot (at which each member of the electoral college shall have one vote) and, if a majority of the votes so cast is in favour of one candidate, shall declare such candidate to be duly elected as President.
 - (f) If no candidate obtains such a majority of votes, the candidate who received the lowest number of votes shall be eliminated and a further ballot taken in rela-

*Method of
election as
President.*

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tion to the remaining candidates and, subject to the provisions of paragraph (g), this procedure shall be repeated as often as may be necessary until one candidate receives a majority of all the votes cast and is declared duly elected: Provided that, if two or more candidates receive the same number of votes but less than the remaining candidates, the electoral college shall by separate vote, to be repeated as often as may be necessary, determine which of those candidates shall be eliminated for the purposes of this paragraph.

(g) If -

- (i) only two candidates who comply with the provisions of section 3(4) have been nominated, or
- (ii) only two candidates remain after the elimination of one or more candidates under paragraph (f), and there is an equality of votes between such two candidates, a further vote between those two candidates shall be taken on the following day and on each day thereafter until one candidate receives a majority of all the votes cast and is declared duly elected.

(3) No debate shall be allowed at any meeting held under section 3(1).

*Tenure of
office of
President.*

5. (1) Subject to the provisions of sections 6 and 7 the person elected to the office of President shall hold that office for a period of seven years commencing on the day on which he takes and subscribes the oath prescribed in section 11.
- (2) The holder of the office of President shall, on the expiration of his period of office, not be eligible for re-election unless the National Assembly has expressly decided otherwise by resolution.
- (3) The President shall at no time absent himself from Transkei except with the prior consent of the Executive Council.

*Resignation
of President.*

6. The holder of the office of President may at any time resign from such office by lodging his resignation in writing with the Speaker.

*Removal of
President from
office.*

7. (1) Upon the adoption by the National Assembly of a resolution declaring the person holding the office of President to be removed from office, such person shall forthwith cease to hold such office.

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- (2) No resolution shall be adopted by the National Assembly under subsection (1) -
- (a) unless there has previously been submitted to the Speaker a petition signed by not less than twenty-five members of the National Assembly praying for the removal of the person holding the office of President on the grounds of misconduct or the inability of such person to perform efficiently the duties of that office and praying further that a committee be appointed by the Assembly to investigate the subject-matter of such petition; and
 - (b) if such committee is appointed, except after consideration of the report of such committee.
- (3) No debate shall be permitted in the National Assembly in any proceedings under subsection (1).
8. (1) The President shall receive such salary and allowances as may be authorized by Parliament from time to time as a charge on the general revenues of the Republic.
- (2) The salary and allowances of the President shall not be altered to his disadvantage during his term of office.
9. (1) Any person who has at any time held the office of President shall be paid as a charge on the Transkeian Revenue Fund a pension of an amount determined by Parliament from time to time.
- (2) There shall be paid (as a charge on the Transkeian Revenue Fund) to the widow of the person referred to in subsection (1) (unless she entered into a marriage with such person after he vacated his office as President) a pension at the rate of one-half of the pension payable, or which would have been payable, to such person.
- (3) The pension payable -
- (a) under subsection (1) shall be payable with effect from the day following the day upon which the person concerned vacated the office of President;
 - (b) under subsection (2) shall be payable with effect from the day following the day on which the beneficiary became a widow.

*Salary of
President.*

*Pension of
President
and his
widow.*

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*Acting
President.*

10. Whenever the office of President becomes vacant or the holder of such office is for any reason unable to discharge his duties, the Speaker or, if there is no Speaker or he is unable to act, a person appointed by the Executive Council shall act as President.

*Oath of office
of President or
Acting President
and notice of
assumption of
office.*

11. (1) Before assuming the office of President or Acting President the person elected or otherwise required to hold that office shall take and subscribe before the Chief Justice or another judge an oath of office in the form prescribed in Schedule 2.

(2) The President or Acting President shall make known by proclamation in the *Gazette* that he has taken the oath and assumed his office.

CHAPTER 3.

PUBLIC SEAL, NATIONAL FLAG, COAT OF ARMS,
ANTHEM AND LANGUAGES.

Public Seal.

12. (1) The public seal of the Republic of Transkei shall be a seal on which there shall be engraved the coat of arms of Transkei circumscribed by the words "IRIPHABLIKI YETRANSKEI" and "REPUBLIC OF TRANSKEI".

(2) The public seal shall at all times be in the custody of the President and, except in so far as may otherwise be determined by the President, shall be used on all public documents on which such use is required by this Act or any other law.

National flag.

13. The national flag of the Republic of Transkei shall be a flag consisting of three horizontal stripes of equal width from top to bottom ochre red, white and green.

Coat of arms.

14. The coat of arms of the Republic of Transkei shall be as described in Schedule 3.

National anthem.

15. The national anthem of the Republic of Transkei shall be "Nkosi Sikelel'iAfrika" in the version set out in Schedule 4.

Languages.

16. Xhosa shall be the official language of the Republic of Transkei and, except as provided in section 41, Sesotho, English and Afrikaans may also be used for legislative, judicial and administrative purposes.

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CHAPTER 4.

EXECUTIVE GOVERNMENT.

17. (1) The executive power of the Republic shall vest in the President acting on the advice of the Executive Council and any reference in this Act or in any other law to the President shall, unless it is expressly otherwise provided or must necessarily be otherwise implied, be construed as a reference to the President acting on the advice of the Executive Council.
- (2) Subject to the provisions of this Act there shall be vested in the President the administrative control and the powers, authorities and functions in all matters affecting the peoples of Transkei (other than legislative powers and the authorities, powers, rights and immunities of the supreme chief) which immediately prior to the commencement of the Status of the Transkei Act, 1976 or this Act were vested in the State President of the Republic of South Africa or in the Cabinet of Transkei, as the case may be.
- (3) The President shall exercise his powers, authorities and functions under subsections (1) and (2) in writing under his signature which shall be confirmed by the public seal of the Republic referred to in section 12 and every instrument signed by the President shall be counter-signed by a Minister.
- (4) Nothing in the preceding provisions of this section contained shall be construed as affecting -
- (a) the exercise by the President of his powers, authorities and functions relating to -
- (i) the appointment of any Minister under section 18(1); or
- (ii) the summoning or proroguing of Parliament or the dissolution of the National Assembly in terms of section 2(2) or any other law; or
- (b) the constitutional conventions which, as provided in section 2(4)(b), relate to the exercise of his powers, authorities and functions by the President.

*Executive
government.*

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State departments and Ministers.

18. (1) For the discharge of the business of the Republic the President may from time to time establish such departments of State as he may consider necessary and may appoint persons, not exceeding fifteen in number, to administer such departments.
- (2) Subject to the provisions of subsection (3), the persons appointed under subsection (1) shall -
- (a) be Ministers of State;
 - (b) hold office during the pleasure of the President; and
 - (c) while holding office, constitute the Executive Council.
- (3) No person shall hold the office of Minister of State unless -
- (a) he is a member of the National Assembly; and
 - (b) he has first made and subscribed before the President or a person designated by the President an oath in the form prescribed in Part 1 of Schedule 5.
- (4) Except to the extent to which provision has been made in terms of subsection (1) any department in existence in the government of Transkei immediately prior to the commencement of this Act shall be deemed to have been duly established under that subsection and any person administering any such department to have been duly appointed under this section to administer that department, provided that such person shall make and subscribe the oath prescribed in subsection (3)(b).

Appointment of acting Ministers and assignment of administrative powers to Ministers.

19. (1) If at any time a Minister is unable to carry out the functions of his office the President may appoint any other member of the Executive Council to act in such Minister's place, either generally or for the performance of a particular function, and it shall also be competent for the President, for the efficient discharge of the business of the Republic, to assign to any Minister the administration of any law or of any particular provision of any law.
- (2) Whenever, in terms of subsection (1), an acting Minister is appointed or the administration of any law or any provision of any law which confers, imposes or entrusts any power, duty or function on or to any Minister is assigned to another Minister, such last mentioned Minister shall be competent in all respects to exercise or perform any such power,

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duty or function, and any reference in that law or provision to the department of State administered by such first mentioned Minister or the incumbent of any office in such department shall be construed as a reference to the department administered by such lastmentioned Minister or to the incumbent holding a corresponding office in such department, as the case may be.

20. (1) The President may from time to time appoint persons (not exceeding five in number) to hold office during his pleasure as Deputy Ministers: Provided that no person shall be so appointed unless he is a member of the National Assembly. *Deputy Ministers.*
- (2) Any person appointed under subsection (1) -
- (a) shall, subject to the directions of the President, assist the Minister whose deputy he is, in the exercise or performance of the powers, functions and duties of such Minister;
 - (b) shall not be a member of the Executive Council; and
 - (c) shall make and subscribe before the President or a person designated by the President an oath in the form prescribed in Part 2 of Schedule 5.
- (3) For the purposes of subsection (2) any reference in any law to a Minister shall be deemed to include a reference to the person appointed in terms of subsection (1) as the deputy of such Minister.

CHAPTER 5.

THE LEGISLATURE.

21. (1) The legislative power of the Republic of Transkei shall vest in a Parliament consisting of the President and a National Assembly. *Legislative power.*
- (2) Parliament shall be the sovereign legislative authority in and over the Republic and shall have full power to make laws for the peace, order and good government of the Republic.
- (3) Parliament shall exercise its power to make laws by bills passed by the National Assembly and assented to by the President and every law so assented to shall be styled an Act.

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- (4) No court of law shall be competent to enquire into or to pronounce upon the validity of any Act.

*Composition
of National
Assembly.*

22. (1) Subject to the provisions of section 29 the National Assembly shall consist of -

- (a) the paramount chiefs;
- (b) seventy chiefs who shall represent the districts of Transkei in which they hold office in the numbers prescribed in the fourth column of Schedule 1; and
- (c) seventy-five elected members.

- (2) The Legislative Assembly, as constituted for the purposes of the Transkei Constitution Act, 1963 and in existence immediately prior to the commencement of this Act, shall be deemed to have been duly constituted as the National Assembly for the purposes of this Act, and every person holding office as a member of the said Legislative Assembly immediately prior to such commencement shall be deemed to be a member of the National Assembly: Provided that such person shall, before taking his seat as a member of the National Assembly, make and subscribe the oath prescribed in section 27.

Electoral divisions and determination of number of members in each division.

23. (1) There shall be twenty-eight electoral divisions for the election of the members of the National Assembly referred to in section 22(c) and the number of members to be elected in respect of each electoral division shall be in proportion to the respective total numbers of registered voters in the various divisions: Provided that there shall be elected at least one member in respect of each electoral division.

- (2) Each district mentioned in the second column of Schedule 1 shall be an electoral division.

Persons entitled to register as voters and to vote.

24. (1) Every person who -

- (a) is a citizen of Transkei,
- (b) is over the age of twenty-one years or, if he is a taxpayer, over the age of eighteen years, and
- (c) is not subject to any disqualification mentioned in section 25,

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shall be entitled to be registered as a voter in an electoral division and, if he is so registered, to vote at an election.

(2) Every person registered as a voter shall, at an election of members of the National Assembly have as many votes as there are members to be elected for the electoral division in which he is registered, but shall not record more than one vote in favour of any one candidate.

25. (1) No person shall be entitled to be registered as a voter or to the continuance of his registration as a voter or to vote in any electoral division -

*Disqualification
of voters.*

(a) if he has been convicted of treason or murder; or

(b) if he has been convicted of any other offence and sentenced to a period of imprisonment without the option of a fine (other than detention until the rising of the court) or ordered to be detained in a rehabilitation centre under any law and such period has not expired or such order has not finally ceased to be operative at least three years before the date of completion of his application to be registered or the date upon which it is decided whether or not his name is to be removed from the voters' list or polling day in the election concerned, as the case may be; or

(c) if he has been convicted of any corrupt or illegal practice under any electoral law and has been declared incapable of being registered as a voter or of voting at an election during any period, and the said period has not expired; or

(d) if he is subject to an order of court declaring him to be of unsound mind or mentally disordered or defective or is lawfully detained as mentally disordered or defective.

(2) For the purposes of paragraphs (a) and (b) of subsection (1) -

(a) a person who has been granted a free pardon shall be deemed not to have been convicted of the offence in respect of which he has been pardoned; and

(b) a period of imprisonment means the full term of a sentence of imprisonment notwithstanding any suspension or remission of the whole or any portion of such sentence.

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*Qualification
for election to
National As-
sembly.*

26. No person shall be qualified to be elected or to be a member of the National Assembly unless -

- (a) he is over the age of twenty-one years;
- (b) he is registered as a voter in any electoral division in the region in which the division in respect of which he is to be or has been elected is situated; and
- (c) he is a citizen of Transkei.

*Oath of mem-
bers of As-
sembly.*

27. Every member of the National Assembly shall, before he takes his seat, make and subscribe before the Chief Justice or a judge designated by him, or in the case of a member elected to fill a casual vacancy before the Speaker, an oath substantially in the form prescribed in Schedule 6.

*Paramount
chief's repre-
sentative.*

28. (1) Subject to the provisions of this section a paramount chief may by writing under his hand appoint any person (other than a member of the Assembly but who otherwise qualifies to be elected as such a member) as his representative to accompany him to all or any of the meetings of the Assembly or to attend such meetings on his behalf.

(2) Every appointment under subsection (1) and any revocation thereof shall be notified to the Speaker in writing by the paramount chief concerned.

(3) A paramount chief and his representative shall not both participate in the same proceedings in the Assembly.

*Chiefs in
Assembly.*

29. (1) The total number of paramount chiefs and chiefs in the Assembly shall at no time exceed seventy-five and, in the event of the institution after the commencement of this Act of any new paramount chieftainship, the number of chiefs referred to in section 22(b) who represent the district in which such additional paramount chief resides shall be reduced correspondingly.

(2) (a) Whenever, by reason of the provisions of subsection (1) of this section or the fact that the number of chiefs holding office in any district exceeds the number qualifying for membership of the Assembly under section 22(b), it is necessary to determine -

- (i) which chief shall be excluded from membership of the Assembly, or
- (ii) which chief or chiefs shall represent such district in the Assembly, or

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(iii) which chief shall fill the vacant seat of a chief in the Assembly,

the Speaker, or if there is no Speaker a person designated by the President, shall convene a meeting of the chiefs holding office in the district in question in order that they may, by secret ballot, make the necessary determination: Provided that, if such chiefs are unable to come to an agreement, such determination shall be made (also by secret ballot) at a meeting of the paramount chief, if any, and all the chiefs in the region in which such district is situated.

(b) The meetings referred to in paragraph (a) shall be held before every general election and shall be convened for a day earlier than the day fixed for the nomination of candidates in such election.

(3) Where during the life of an Assembly there is an increase in the number of chiefs holding office in any district, the membership of any chief then representing such district shall not be affected thereby.

30. (1) The seat of a member of the National Assembly shall become vacant -

*Vacation of seat
by member of
Assembly.*

(a) upon the death of such member;

(b) upon receipt by the Speaker of the resignation in writing of such member;

(c) if such member, or in the case of a paramount chief both such chief and his representative, fail for a whole ordinary session to attend any of the sittings of the Assembly without its special leave;

(d) if he ceases to possess the qualifications mentioned in section 26; or

(e) in the case of a paramount chief or a chief if he vacates, ceases to hold, or is suspended from, such office.

(2) A paramount chief or a chief who vacates his seat under paragraph (c) of subsection (1) shall also vacate his chieftainship: Provided that the National Assembly may by resolution decide that such paramount chief or chief shall not vacate his chieftainship in which event he shall be deemed to have been reinstated as a member of the Assembly with effect from the date of the resolution.

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*Sessions of
Parliament.*

31. (1) The President may by proclamation in the *Gazette* appoint such times for the holding of sessions of Parliament as he may think fit and he may also, by proclamation in the *Gazette* or otherwise, prorogue Parliament.
- (2) There shall be a session of Parliament at least once in every year so that a period of twelve months shall not intervene between the last sitting of Parliament in one session and its first sitting in the next session.
- (3) Notwithstanding the provisions of section 74(1), the session of the Legislative Assembly which was being held prior to the commencement of this Act shall be resumed without delay after such commencement and such resumed session shall be the first session of the first Parliament established by this Act.

*Speaker and
Deputy Speaker.*

32. (1) Every National Assembly shall, at its first sitting and before proceeding with the dispatch of any other business, elect by ballot from amongst its members a Speaker and a Deputy Speaker.
- (2) The Speaker or the Deputy Speaker shall vacate his office -
- (a) if he ceases to be a member of the National Assembly; or
- (b) if he resigns from such office; or
- (c) if he is removed from office by a resolution of the Assembly.
- (3) If the office of Speaker or Deputy Speaker becomes vacant the National Assembly shall in the manner described in subsection (1) elect a new Speaker or Deputy Speaker, as the case may be.
- (4) The Speaker, or in his absence the Deputy Speaker, shall preside at all sittings of the National Assembly; Provided that the secretary of the Assembly shall preside at the first sitting of the Assembly until a Speaker is elected.
- (5) The person who holds office as Speaker at the time of any dissolution of the National Assembly shall be deemed to be the Speaker until a Speaker has been elected under subsection (1).

Life of Parliament.

33. (1) Every Parliament shall continue for five years from the date of the first meeting thereof and no longer but may at any time be dissolved by the President by proclamation in the *Gazette*.

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- (2) A proclamation under subsection (1) shall provide for a general election to be held on a date specified in the proclamation for the election of the members of the National Assembly referred to in section 22(c).
- (3) Notwithstanding any dissolution of Parliament under subsection (1), Parliament shall during the period following such dissolution up to and including the day immediately preceding polling day in the general election referred to in subsection (2) be competent to perform its functions as if no dissolution had occurred and during such period -
- (a) the President may summon Parliament for the despatch of business; and
- (b) every person who at the date of such dissolution is a member of the National Assembly shall remain such a member.

34. It shall be necessary for at least thirty-five members of the National Assembly to be present to constitute a meeting of the Assembly for the exercise of its powers.

Quorum in Assembly.

35. (1) All questions in the Assembly shall be determined by a majority of votes of members present other than the Speaker or, in his absence, the Deputy Speaker.

Voting in Assembly.

(2) In the event of any equality of votes the Speaker, or in his absence the Deputy Speaker, shall have and exercise a casting vote.

36. Any person who is by law incapable of sitting as a member of the National Assembly and who, while so incapable and knowing or having reasonable grounds for knowing that he is so incapable, sits or votes as a member of the National Assembly shall be liable to a penalty of twenty rand for each day on which he so sits or votes, and such penalty may be recovered on behalf of the Treasury of the Republic by action in any competent court.

Penalty for sitting or voting as member of Assembly when disqualified.

37. (1) Subject to the provisions of this Act the National Assembly may regulate its own procedure and may from time to time make rules and orders regulating the order and conduct of its business and proceedings.

Rules of procedure.

(2) Until the Assembly makes rules and orders under subsection (1) the rules and orders which applied immediately prior to the resumption of the session of the Assembly in terms

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of section 31(3) shall continue to apply *mutatis mutandis* to the proceedings in the Assembly except to the extent to which such rules and orders are inconsistent with the provisions of this Act.

Access to proceedings of Assembly and freedom of speech and debate and other immunities.

38. (1) Subject to the rules and orders referred to in section 37 .

(a) the proceedings of the National Assembly shall be open to the public; and

(b) there shall be freedom of speech and debate in and before the Assembly and any committee thereof for every member of the Assembly and such freedom shall not be liable to be impeached or questioned in any court or place outside the Assembly.

(2) No civil or criminal proceedings shall be instituted against any member of the National Assembly, nor shall such member be liable to arrest or imprisonment or for damages, by reason of any matter or thing which he may have brought by petition, bill, resolution, motion or otherwise or may have said in or before the Assembly or any committee thereof.

(3) No person shall be liable in damages or otherwise for any act done within the legal powers of the Assembly and under its warrant or other authority.

(4) No member or servant of the National Assembly shall, while in attendance on the Assembly, be obliged to appear as a party or as witness in any civil proceedings in any court that holds its sittings elsewhere than at the seat of the Assembly, and a certificate by the Speaker stating that such member or servant is in attendance on the Assembly shall be sufficient proof of such attendance.

Bills appropriating public funds or imposing taxation.

39. (1) Any bill which appropriates revenue or moneys for the ordinary annual services of the Government shall deal only with such appropriation and shall be known as an appropriation bill.

(2) The National Assembly shall not -

(a) consider or pass any vote, resolution, address or bill for the appropriation of any part of the public revenue or of any tax or impost for any purpose whatsoever, or

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(b) proceed with any bill for the imposition of taxation or the alteration of taxation otherwise than by reduction, except upon the recommendation of the President conveyed by message during the session in which such vote, resolution, address or bill is proposed.

40. (1) When a bill is presented to the President for his assent he shall declare according to his discretion that he assents thereto or that he withholds assent.

Assent to bills.

(2) When the President withholds his assent the bill shall be returned to the National Assembly: Provided that the President may return to the Assembly any bill presented to him under subsection (1) and may at the same time transmit any amendment which he may recommend and the Assembly may deal with the recommendation.

41. A bill shall become law upon being assented to by the President and the secretary of the Assembly shall cause a copy of the Act in the Xhosa language (together with copies thereof in English and Sesotho) to be enrolled of record in the office of the registrar of the Supreme Court of Transkei and such copies shall be conclusive evidence of the provisions of such law.

Signature and enrolment of laws.

42. (1) The secretary of the Assembly shall cause every Act to be published in the *Gazette*.

Promulgation and commencement of law.

(2) Subject to the provisions *mutatis mutandis* of section 16A of the Interpretation Act, 1957 (Act 33 of 1957) an Act shall come into operation on the date of its publication in the *Gazette* unless the Act itself provides that it shall come into operation on another date or on a date to be fixed by proclamation thereunder.

43. (1) Anything said by any member of the National Assembly in or before the Assembly or any committee thereof, whether as such a member or as a witness, shall be deemed to be a matter of privilege.

Matters of privilege.

(2) If, in any civil or criminal proceedings which have been instituted for or on account or in respect of any matter of privilege, there is produced to the court by the defendant or the accused a certificate by the Speaker or the secretary of the National Assembly stating that the matter in question is one which concerns the privilege of the Assembly, the

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court shall forthwith stay the proceedings which shall thereupon be deemed to have been finally determined.

CHAPTER 6.

THE JUDICATURE.

*Establishment
and constitu-
tion of Supreme
Court.*

44. (1) There is hereby established a Supreme Court of Transkei in which shall be vested the judicial power of the Republic and which shall consist of the Chief Justice and such number of other judges as may be determined by the President from time to time.
- (2) The Supreme Court of Transkei shall be a court of record and shall have for its use a distinctive seal in the design prescribed in Schedule 7, which shall be in the custody of the registrar of the court.
- (3) Notwithstanding the provisions of section 74(1), the High Court established under section 50 of the Transkei Constitution Act, 1963, shall, as constituted immediately prior to the commencement of this Act, be deemed to be the Supreme Court of Transkei and to have been established and constituted as such by subsection (1).

*Jurisdiction of
Supreme Court.*

45. Subject to the provisions of this Act and of any other law (including the common law) the Supreme Court of Transkei shall -
- (a) have jurisdiction over all persons residing or being in the Republic of Transkei; and
- (b) have power -
- (i) to hear and determine all civil and criminal matters, proceedings or causes arising within the Republic of Transkei;
- (ii) to hear and determine appeals from all inferior courts; and
- (iii) to review the proceedings of all inferior courts.

*Appointment
and remunera-
tion of judges.*

46. (1) Subject to the provisions of subsection (2) the President shall from time to time as occasion may require appoint a fit and proper person as Chief Justice or as other judge of the Supreme Court.
- (2) No person shall be appointed under subsection (1) -

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- (a) to the office of Chief Justice, unless he holds or has at any time held office as a judge of the Supreme Court of Transkei or as a judge of a superior court in the Republic of South Africa or in such other country as Parliament may prescribe by resolution; or
 - (b) to any other office of judge, unless -
 - (i) he has practised as an advocate in the Supreme Court or in any other superior court referred to in paragraph (a) for a period of not less than ten years; or
 - (ii) he has previously held office as a judge in any such court; or
 - (c) to the office of Chief Justice or other judge, if he is of or above the age of sixty-five years.
- (3) If at any time the office of any judge of the Supreme Court is vacant or if any such judge is for any reason unable to perform his duties, the President may appoint to act temporarily in the place of such judge any person who qualifies for appointment under subsections (1) and (2), including any person who would so qualify but for his age. Provided that -
- (a) the Minister of Justice may appoint any such person to act as a judge for a period not exceeding one month; and
 - (b) no person other than a person who complies with the provisions of subsection (2)(a) shall be appointed to act as Chief Justice.
- (4) (a) The remuneration and other conditions of service including the retirement ages and retirement benefits of judges of the Supreme Court shall be determined by Parliament.
- (b) The remuneration of a judge shall not at any time be reduced while he continues in office.
- (5) (a) Save as provided in subsection (6) every judge of the Supreme Court shall, before entering upon the duties of his office take and subscribe an oath substantially in the form prescribed in Schedule 8.

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- (b) Such oath shall be taken before a judge of the Supreme Court or, if a judge is not available, before a justice of the peace.
- (6) Any person holding office as Chief Justice or other judge of the High Court referred to in section 44(3) immediately prior to the commencement of this Act shall be deemed to have been appointed as Chief Justice or other judge of the Supreme Court of Transkei, as the case may be, in terms of subsection (1) of this section and, if he has already taken an oath of office in such court, it shall not be necessary for him, before discharging any function under this Act, to make and subscribe the oath referred to in subsection (5).

Judge may not hold other office of profit without permission.

47. Unless authorized thereto by the President a judge of the Supreme Court shall not accept or hold any other office of profit or receive in respect of any service rendered by him any remuneration other than the remuneration referred to in section 46(4).

Removal of judge from office.

48. The Chief Justice or other judge of the Supreme Court shall not be removed from office except by the President but no judge shall be so removed except upon an address from the National Assembly praying for such removal on the grounds of misbehaviour or incapacity.

Rules of court.

49. (1) Subject to the provisions of subsection (2) the Chief Justice may make rules regulating the conduct of proceedings in the Supreme Court and prescribing any matter whatsoever which it is necessary to prescribe in order to ensure the proper despatch and conduct of the business of the court, including rules prescribing court fees, the fees payable for the service or execution of process and the fees chargeable by advocates, attorneys and notaries as well as rules relating to the taxation of bills of costs and the recovery of costs.
- (2) Any rules made by the Chief Justice under subsection (1) shall be subject to the approval of the President and any rules so approved shall be made known by notice in the *Gazette*.
- (3) The rules which immediately prior to the commencement of this Act applied in respect of the High Court referred to in section 44(3) shall, notwithstanding the provisions of section 74(1), apply *mutatis mutandis* in respect of the Su-

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preme Court of Transkei and shall be deemed to have been duly made, approved and published in terms of this section.

50. The Chief Justice may by notice in the *Gazette* -

Circuit Courts.

- (a) divide Transkei into circuit districts and from time to time in like manner alter the boundaries of any circuit district; and
- (b) determine the times when and the places where the Supreme Court shall sit in such circuit districts for the hearing of criminal cases.

51. (1) The administration of justice throughout the Republic of Transkei shall be under the control of the Minister of Justice in whom shall also be vested, subject to the provisions of this section, all powers and authorities relating to the prosecution of offences.

*Administration
of Justice.*

(2) There shall be appointed by the President, subject otherwise to the laws governing the public service, an attorney-general who -

- (a) shall have authority to prosecute in the name of the State any person charged with an offence before any court;
- (b) may perform any function which is necessary for or incidental to the exercise of such authority; and
- (c) shall have such other powers and competence as may be conferred upon him by or under any other law.

(3) The attorney-general shall, in the exercise of his powers, authorities and functions be under the direction and control of the Minister of Justice who may set aside or vary any decision of the attorney-general and himself, either generally or with reference to a particular matter, exercise or perform any power, authority or function of the attorney-general.

(4) The Minister of Justice may, subject to the laws governing the public service, appoint one or more deputy attorneys-general who, under the direction and control of the attorney-general, may do anything that the attorney-general may lawfully do.

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- (5) Whenever for any reason the attorney-general is absent or unable to carry out the functions of his office or whenever the office of attorney-general becomes vacant, the President may appoint any deputy attorney-general or, if none is available, any other qualified officer of the public service to act temporarily in the place of the attorney-general.
- (6) Any person who immediately prior to the commencement of this Act holds the office of attorney-general or deputy attorney-general in the districts comprising Transkei shall be deemed to have been appointed as attorney-general or deputy attorney-general of Transkei under this section.

Advocates and attorneys.

52. (1) The laws regulating the admission of advocates and attorneys to practise before the Supreme Court of South Africa shall *mutatis mutandis* apply to the admission of advocates and attorneys to practise in the Supreme Court of Transkei.
- (2) All advocates and attorneys entitled immediately prior to the commencement of this Act to practise in the High Court referred to in section 44(3) shall be entitled, subject to the provisions of the aforesaid laws, to practise in the Supreme Court of Transkei.

Recognition and application of customary law.

53. (1) In all proceedings involving questions of tribal customs followed by persons in Transkei it shall be in the discretion of the court to decide such questions in accordance with the tribal law applying to such customs except in so far as the court may find that such law has been repealed or modified or is contrary to public policy or opposed to the principles of natural justice: Provided that no such finding shall be made by any court in respect of the custom providing for the payment of *lobola* or *bogadi*.
- (2) The court shall not, in the absence of any agreement between the parties regarding the system of law to be applied in any such proceedings, apply any system of customary law other than that -
- (a) which is observed at the place in Transkei where the defendant or respondent resides, carries on business or is employed, or
- (b) if more than one system of customary law is in operation at that place, which is observed by the tribe to which the defendant or respondent belongs.

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(3) For the purposes of subsection (1) a court, including the Supreme Court in applications, trials and appeals, may summon to its assistance in an advisory capacity such assessors as the court may deem necessary and the opinions of any such assessors shall be recorded and shall form part of the record of the proceedings.

54. (1) Notwithstanding anything contained in section 74(1) but subject to the provisions of this Act -

Provisions relating to existing courts.

(a) every court in existence in a district of Transkei immediately prior to the commencement of this Act, other than the court constituted under section 10 of the Bantu Administration Act, 1927 (Act 38 of 1927), shall remain in existence and in operation in accordance with its existing constitution and jurisdiction until altered or disestablished by or under any Act of Parliament;

(b) the laws which immediately prior to the commencement of this Act applied to the High Court referred to in section 44(3) shall apply *mutatis mutandis* to the Supreme Court of Transkei; Provided that any reference in any such laws to the "Minister of Bantu Administration and Development" and "Secretary for Bantu Administration and Development" shall be construed as a reference to the Minister of Justice and the Secretary for Justice respectively;

(c) all proceedings pending immediately prior to the commencement of this Act -

(i) in any court constituted under section 10 of the Bantu Administration Act, 1927 and in the aforesaid High Court shall stand removed to the Magistrate's Court of the district and the Supreme Court of Transkei, respectively, which shall have jurisdiction to hear and determine the same;

(ii) in any court constituted or established under section 13 of the Bantu Administration Act, 1927 or section 10 of the Bantu Administration Act, 1927, Amendment Act, 1929 (Act 9 of 1929) shall be continued and concluded in every respect as if this Act had not been passed: Provided that any court established under the said section 10 of the

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Bantu Administration Act, 1927, Amendment Act, 1929 to which it may be made to appear that any proceedings pending therein may be more conveniently or fitly heard or determined in the Supreme Court of Transkei may order the same to be removed to the Supreme Court and thereupon the Supreme Court may continue with such proceedings in like manner as if they had been commenced therein:

- (d) all judgements and orders of the said High Court or any other court (other than the Supreme Court) referred to in paragraph (a) or (c) shall have the same force and effect as if they had been given or made by the Supreme Court of Transkei or, as the case may be, the court of corresponding jurisdiction in the Republic of Transkei; and
 - (e) the Appellate Division of the Supreme Court of South Africa shall have jurisdiction to hear and determine appeals from any decision of the Supreme Court of Transkei as if such lastmentioned court were a provincial division of the Supreme Court of South Africa and the provisions of the law and rules of court applicable in connection with appeals from the decision of such a provincial division shall *mutatis mutandis* apply with reference to any appeal from a decision of the Supreme Court of Transkei.
- (2) For the purposes of subsection (1)(a) of this section any appeal to a court of bantu affairs commissioner or to a bantu affairs commissioner in terms of section 12 or 20 of the Bantu Administration Act, 1927 shall lie to the magistrate's court or the corresponding judicial officer of such court in the district concerned, as the case may be, and any reference in the said sections 12 and 20 to a "court of bantu affairs commissioner" and a "bantu affairs commissioner" shall be construed as a reference to a magistrate's court and to such judicial officer as aforesaid, respectively: Provided that, until an Act of Parliament otherwise provides, any regulations made under sections 12 and 20 of the said Bantu Administration Act, 1927 shall apply *mutatis mutandis* in respect of any action taken under those sections in a magistrate's court or before a magistrate.

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CHAPTER 7.

FINANCE.

55. All revenues and other moneys received from any source whatsoever for the purposes of the administration of Transkei shall vest in the President.

*Revenues vest
in President.*

56. (1) Notwithstanding the provisions of section 74(1) the Transkeian Revenue Fund established by section 51 of the Transkei Constitution Act, 1963 shall be continued and into such fund there shall be paid all the revenues raised or received by the President other than any moneys that are payable by or under any law into a fund established for a specific purpose.

*Transkeian
Revenue Fund.*

(2) No moneys shall be withdrawn from the Transkeian Revenue Fund except under appropriation made by an Act of Parliament.

CHAPTER 8.

CITIZENSHIP.

57. There shall become a citizen of Transkei -

*Persons who
are citizens
of Transkei.*

(a) at the commencement of this Act -

(i) every person who, having been born in any district of the former Transkeian Territories or the former territory of the Transkei, is immediately prior to such commencement, a citizen of that territory;

(ii) every person born outside the districts of the former Transkeian Territories or the former territory of the Transkei who is immediately prior to the commencement of this Act a citizen of that territory and whose father is, or but for his death would have been, a citizen of Transkei in terms of subparagraph (i);

(iii) every other person who, immediately prior to such commencement, is a citizen of the former territory of the Transkei and has not lost or renounced such citizenship;

(b) with effect from the date of his birth every person born in

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Transkei on or after the date of commencement of this Act: Provided that no person shall become a citizen of Transkei, by virtue of the provisions of this paragraph, if at the time of his birth -

- (i) his father was a person enjoying diplomatic immunity in Transkei under any law and was not a citizen of Transkei and his mother was not a citizen of Transkei;
 - (ii) his father was a citizen of a country with which Transkei was at war and the birth occurred at a place under occupation by the enemy and his mother was not a citizen of Transkei;
 - (iii) his father was a citizen of a country with which Transkei was at war, had no right of permanent residence in Transkei and was interned or detained in custody and his mother was not a citizen of Transkei;
 - (iv) his father was a prohibited immigrant or had no right of permanent residence in Transkei and his mother was not a citizen of Transkei;
- (c) with effect from the date of his birth, every person born outside Transkei on or after the date of commencement of this Act whose father was at the time of the birth a citizen of Transkei: Provided that a person shall not become a citizen of Transkei by virtue of the provisions of this paragraph if at the time of his birth he becomes a citizen of any other country;
- (d) any person born outside Transkei on or after the date of commencement of this Act if in accordance with law (including customary law) he is adopted by or otherwise becomes the child of a citizen of Transkei and his birth is, within two years thereof or with the permission of the Minister of the Interior or other competent Minister at a later date, registered with a registering authority of the government of Transkei.

*Citizens of
Transkei by
registration.*

58. (1) Any person who -

- (a) is not a minor,
- (b) is a South African citizen, and

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- (c) has been lawfully domiciled in a district mentioned in Schedule 1 for the period of five years immediately preceding that person's application for registration under this subsection, and
- (d) is not a prohibited immigrant,

may, upon making application in such manner as may be prescribed by or under an Act of Parliament be registered as and become a citizen of Transkei.

- (2) Any person, who has been found, in the manner to be prescribed by or under an Act of Parliament, to be predominantly Xhosa-speaking or Sotho-speaking and to be a member of, or descended from, or ethnically, culturally or otherwise associated with, any tribe resident in a district of Transkei may apply for registration as and become a citizen of Transkei.

59. Provision may be made by Parliament -

- (a) for the acquisition of citizenship by any person who does not become, or is not eligible to be registered as, a citizen of Transkei under the foregoing provisions of this Chapter;
- (b) for the renunciation by any person of his citizenship;
- (c) for the deprivation or loss of citizenship; and
- (d) prescribing the procedure in relation to the acquisition or loss of citizenship.

Provisions relating to other manner of acquisition, or loss, of citizenship of Transkei.

CHAPTER 9.

GENERAL.

60. (1) Subject to the provisions of this Act -

- (a) all laws which immediately prior to the commencement of this Act were in operation in any district of Transkei, and
- (b) all laws which, upon the addition of any land to Transkei, apply on or in respect of such land,

Application of laws and vesting of rights etc.

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shall continue in operation and continue to apply except in so far as such laws are superseded by any applicable law of Transkei or are amended or repealed by Parliament in terms of this Act: Provided that the laws mentioned in Schedule 9, together with any amendments thereof in operation immediately prior to the commencement of this Act, shall apply throughout Transkei or, as the case may be, to or in respect of all persons in Transkei: Provided further that, until otherwise provided by Parliament, the laws regulating the affairs of any Department of Posts and Telecommunications or any similar department established under section 18(1) shall be deemed to have been amended to provide for the administration of that department as a department of State and not in accordance with the principles prescribed in the Post Office Re-adjustment Act, 1968 (Act 67 of 1968).

- (2) All rights, powers, authorities, duties, obligations and functions which were vested in or devolved upon a Minister or other authority or person in the Republic of South Africa (including any authority or person in any provincial administration) by or under any law of the Republic of South Africa which continues to apply in Transkei in terms of subsection (1) shall vest in or devolve upon the corresponding Minister, authority or person exercising similar powers or performing similar duties or functions in Transkei, and any regulation, rule, order, notice, approval, registration or authority made, given or granted and any other action taken under any such law by any Minister or other authority or person in the Republic of South Africa prior to the commencement of this Act shall in relation to the administration of Transkei, be deemed to have been made, given, granted or taken by such corresponding Minister, authority or person in Transkei.
- (3) Any reference in any law which continues to apply in Transkei in terms of subsection (1) to —
 - (a) the Cape Colony, the Cape Province, The Union of South Africa, the Union, the State, the Republic of South Africa or the Republic shall be construed as a reference to the Republic of Transkei;
 - (b) the Governor, the Crown, the King, the Queen, the Governor-General or the State President shall be construed as a reference to the Republic of Transkei or the President as the circumstances may require;

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- (c) the King-in-Council, the Queen-in-Council or the Governor-General-in-Council shall be construed as a reference to the President acting by and with the advice of the Executive Council;
 - (d) the Legislative Assembly, Parliament, any House of Parliament or a member thereof shall be construed as a reference to the Parliament or the National Assembly established by this Act or to a member of the National Assembly;
 - (e) the Supreme Court of South Africa or any judge thereof shall be construed as a reference to the Supreme Court of Transkei or any judge thereof;
 - (f) to the district of Butterworth, Elliotdale, Flagstaff, Glen Grey, Kentani, Mount Ayliff, Mount Frere, Port St. Johns, St. Marks or Willowvale shall be construed respectively as a reference to the district of Gcuwa, Xhora, Siphagani, Cacadu, Centane, Maxesibeni, Kwabhaca, Umzimvubu, Cofimvaba or Gatyana;
 - (g) Emigrant Tembuland shall be construed as a reference to Western Tembuland and as including a reference to the district of Cacadu;
 - (h) East Griqualand or Griqualand East shall be construed as including a reference to the district of Herschel;
 - (i) the *Official Gazette* or the Official Gazette of the Transkei or the *Gazette*, the Government Gazette of the Republic of South Africa or the *Provincial Gazette* shall be construed as a reference to the Government Gazette of the Republic of Transkei.
- (4) If any provision of subsection (1), (2) or (3) gives rise to administrative difficulty the President may by proclamation in the *Gazette* make such provision as he may deem necessary to remove such difficulty.

61. All Government land which at the commencement of this Act or at any time thereafter is reserved for occupation by the tribes or communities residing thereon shall -

*Vesting and
use of certain
land.*

- (a) vest in the President subject to any existing charge or obligation on or over such land or otherwise lawfully affecting the same;

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- (b) continue to be used and administered for the settlement, support, benefit and material and moral welfare of such tribes or communities; and
- (c) not be alienated or in any way diverted from the purpose for which such land is reserved except under the authority of an Act of Parliament.

Regional boundaries.

62. Parliament shall not alter the boundaries of any regional authority area for any purpose other than the inclusion therein of land added to Transkei except with the consent of every regional authority affected thereby.

Continuation of municipalities and other local authorities.

63. Notwithstanding anything in this Act contained every municipality and other local authority in existence in any district of Transkei at the commencement of this Act, including every regional and tribal authority, shall continue in existence and in operation until disestablished or altered in accordance with law: Provided that the President may by proclamation in the *Gazette* make such provision as he may deem necessary for the representation on municipal or other councils of citizens of Transkei and other persons who are the owners or occupiers of immovable property within the areas of such councils.

Public Service Commission.

64. (1) There shall be a public service commission which shall consist of a chairman and two other members appointed by the President.

- (2) Any person who immediately prior to the commencement of this Act holds the office of chairman or member of the public service commission established in terms of any law repealed by section 74(1) shall be deemed to have been appointed under subsection (1) as chairman or other member of the public service commission established by that subsection and shall continue in office for the period for which he would have held office if this Act had not been passed.

Public servants.

65. (1) All persons who immediately prior to the commencement of this Act are in the service of the Government of Transkei shall become public servants of the Republic.

- (2) Any person who becomes a servant of the Republic under subsection (1) or who, on or after the date of commencement of this Act, is transferred from the service of any other

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government to the service of the Republic shall be entitled to retire from the service of the Republic at the time at which he would have been entitled to retire if he had not become a servant of the Republic.

66. (1) Subject to the provisions of subsection (2) the power -

Designation or appointment of chiefs.

- (a) to designate or appoint any person as paramount chief, chief or subchief, whether in a permanent or in an acting capacity, or
- (b) to institute any paramount chieftainship in addition to the paramount chieftainships mentioned in Schedule 10, or
- (c) to institute any other chieftainship of whatever class or status,

shall continue to vest in the regional authority concerned subject to the confirmation of such designation, appointment or institution by the President at his discretion.

(2) The President -

- (a) may refer back to a regional authority any designation or appointment made by such authority under subsection (1); and
- (b) shall not confirm the institution of any new chieftainship of whatever class or status except upon the recommendation of the National Assembly.

(3) The appointment in his office of every person who at the commencement of this Act is a paramount chief, chief or subchief (whether in a permanent or in an acting capacity) shall be deemed to have been confirmed by the President in terms of subsection (1).

67. (1) Subject to the provisions of subsection (2) any claim against the Government, which would if that claim had arisen against a person be the ground of an action in any competent court, shall be cognizable by such court, whether the claim arises out of any contract lawfully entered into on behalf of the Government or out of any wrong committed by any servant of the Government acting in his capacity and within the scope of his authority as such servant.

Liability of the State in respect of acts of its servants.

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- (2) No proceedings of any nature shall be brought under subsection (1) if a period of twelve months has elapsed from the date on which the cause of action arose and unless notice in writing of the intention to bring such proceedings and of the cause thereof has been given to every defendant at least one month before the commencement of the proceedings.
- (3) In any proceedings instituted by virtue of the provisions of subsection (1) the Minister of the department concerned may be cited as nominal defendant or respondent.
- (4) No execution, attachment or like process shall be issued against the nominal defendant or respondent in any proceedings under this section or against the property of the Government but the amount required to satisfy any judgment or order against such nominal defendant or respondent shall be paid from public funds.
- (5) Nothing in this section contained shall affect any provision of any other law which -
 - (a) limits the liability of the Government or any department or other institution thereof in respect of any act or omission of its servants; or
 - (b) prescribes a different period within which a claim shall be made in respect of any such liability; or
 - (c) imposes conditions on the institution of any proceedings.

Certain agreements binding on Republic.

68. All rights and obligations under conventions, treaties or other similar agreements which were binding on the Government of Transkei immediately prior to the commencement of this Act shall be rights and obligations of the Republic of Transkei.

Institution or continuation of legal proceedings.

69. (1) All criminal proceedings shall be instituted in the name of the Republic of Transkei and any criminal proceedings which have not been concluded before the commencement of this Act, or which although concluded may thereafter be reopened, shall be continued in all respects as if this Act had not been passed, save that such proceedings shall be continued in the name of the Republic of Transkei.

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- (2) Any civil proceedings by or against any Minister as representing the Government of the self-governing territory of Transkei which have not been brought to finality before the commencement of this Act, or which having been concluded may thereafter be reopened, may be continued against that Minister but as representing the Government of the Republic of Transkei.

70. Any person who is required by any provision of this Act to make and subscribe an oath of office or any other oath may in lieu thereof make and subscribe a corresponding solemn affirmation.

*Affirmation
instead of
oath.*

71. Any person who commits any act which is calculated to violate the dignity or injure the reputation of the President or any acting President shall be guilty of an offence and liable on conviction to a fine not exceeding one thousand rand or imprisonment for a period not exceeding two years.

*Protection of
dignity of holder
of office of
President.*

72. (1) There shall be guilty of an offence any person who, without authority in writing signed on behalf of the President, uses in connection with his trade, business, profession or occupation or in connection with any mark or description applied by him to goods made, produced or sold by him -

*Protection of
certain emblems.*

- (a) the coat of arms of the Republic or anything so closely resembling the coat of arms of the Republic as to be likely to deceive;
- (b) the style, title, name, portrait or effigy of the President or a Minister of State of the Republic; or
- (c) a reproduction of the national flag of the Republic, of any official building of the Republic or of any official residence of the President, a Minister of State or the Chief Justice.

(2) Any person who is convicted of a contravention of subsection (1) shall be liable to a fine not exceeding five hundred rand and the court by which such person is convicted may in addition order the confiscation to the State of all or any part of any goods in respect of which the offence was committed.

73. In this Act, unless the context otherwise indicates -

Definitions.

- (i) "chief" means a person whose appointment as chief or

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- acting chief has, or is deemed to have, been confirmed in terms of section 66(1);
- (ii) "Chief Justice" means the Chief Justice of the Supreme Court appointed or deemed to have been appointed under section 46(1) and includes an acting Chief Justice;
 - (iii) "district of Transkei" means a district referred to in the second column of Schedule I;
 - (iv) "election" means any election of a member or members of the National Assembly;
 - (v) "electoral division" or "division" means an electoral division referred to in section 23;
 - (vi) "Executive Council" means the Executive Council constituted in terms of section 18(2)(c);
 - (vii) "father", in relation to an illegitimate child, means or includes the mother of the child;
 - (viii) "*Gazette*" means the Government Gazette of the Republic;
 - (ix) "Government" means the Government of Transkei;
 - (x) "inferior court" means any court (other than a chief's court) which is required to keep a record of its proceedings and includes a magistrate or other judicial officer holding a preparatory examination into an alleged offence;
 - (xi) "judge" means any judge of the Supreme Court appointed or deemed to have been appointed under section 46(1) and includes an acting judge;
 - (xii) "local authority" means a municipality and includes any other local institution of a similar nature in Transkei;
 - (xiii) "municipality" means any municipality in Transkei to which the provisions of the Municipal Ordinance, 1974 (Ordinance 20 of 1974) apply;

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- (xiv) "National Assembly" or "Assembly" means the National Assembly constituted under Chapter 5;
- (xv) "paramount chief" means the holder of any paramount chieftainship referred to in Schedule 10 and includes any other person whose appointment as paramount chief is confirmed in terms of section 66 (1) after the commencement of this Act;
- (xvi) "President" means the person holding office as President under Chapter 2 and includes an Acting President;
- (xvii) "regional authority" means any regional authority in Transkei constituted in accordance with law;
- (xviii) "regional authority area" or "region" means a territory referred to in the first column of Schedule 1 but excluding any part of such territory administered by a local authority;
- (xix) "Republic" means the Republic of Transkei;
- (xx) "Speaker" means the person elected as Speaker under section 32(1) and includes the Deputy Speaker;
- (xxi) "subchief" means any person whose appointment as a subchief has, or is deemed to have, been confirmed in terms of section 66(1);
- (xxii) "Supreme Court" means the Supreme Court of Transkei established by section 44(1);
- (xxiii) "territorial waters" means the territorial waters of the Republic of Transkei defined and determined in accordance with the provisions of the Territorial Waters Act, 1963 (Act 87 of 1963) including, within the meaning and for the purposes of that Act, the fishing zone and the continental shelf;
- (xxiv) "tribal authority" means any tribal or community authority in Transkei constituted in accordance with law;
- (xxv) "Transkei" means the Republic of Transkei.

74. (1) The laws specified in Schedule 11 are hereby repealed to the extent set out in the third column of that Schedule.

*Repeal of
laws and
savings.*

REPUBLIC OF TRANSKEI CONSTITUTION ACT, 1976.

- (2) Notwithstanding the provisions of subsection (1) and until otherwise provided in an Act of Parliament -
- (a) the provisions of Proclamations 110 of 1879, 112 of 1879, 215 of 1884, 140 of 1885, 174 of 1886, 201 of 1887 and 337 of 1894 shall continue to apply in the territories of Transkei in which they applied immediately prior to the commencement of this Act except in so far as such provisions relate to the annexation to the colony of the Cape of Good Hope of any of the said territories;
 - (b) the registration of voters for the purposes of this Act and the conduct of the elections of the elected members of the National Assembly shall continue to be governed by Proclamation R.142 of 1963;
 - (c) the powers and duties of the public service commission established by section 64(1) and the tenure of office of its members and the conditions of service, appointment, tenure of office, discipline, retirement and discharge of public servants of the Republic shall be as prescribed in Proclamation R.334 of 1963;
 - (d) the provisions of Proclamation R.311 of 1963 shall continue to apply to the nomination of a deputy by any paramount chief appointed as a Minister under this Act;
 - (e) the provisions of Proclamation R.41 of 1970 shall continue to regulate the affairs of any local authority other than a municipality;
 - (f) the provisions of section 59 of the Transkei Constitution Act, 1963 shall, subject to the provisions of section 61 of this Act, continue to apply in respect of the transfer to the Government of Transkei of the land or other public property referred to in the said section 59; and
 - (g) the provisions of section 61(1) of the Transkei Constitution Act, 1963 shall remain in operation in relation to the officers and employees mentioned therein.
- (3) The funds appropriated by the Transkeian Legislative Assembly for the administration during the financial year ending on 31 March 1977 of the self-governing territory of the Transkei shall, in respect of payments to be made on or after 26 October 1976, be deemed to have been lawfully

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appropriated by Parliament for the administration of the Republic of Transkei.

- (4) Nothing in this Act contained shall be construed as affecting any assets, rights, debts or liabilities of the former territory of the Transkei, as existing immediately prior to the commencement of this Act, and such assets, rights, debts and liabilities shall become the assets, rights, debts and liabilities of the Republic of Transkei subject to the conditions under which they were acquired or incurred and without prejudice to any claim which any creditor of such former territory may have had against the Government thereof.
- (5) For the purposes of any law which, in terms of the first proviso to subsection (1) of section 60, applies throughout Transkei (hereinafter referred to as the Transkeian law) anything done in pursuance of powers conferred on the competent authority by or by virtue of any provision of law repealed by subsection (1) of this section shall be deemed to have been done in pursuance of powers conferred on such authority by or by virtue of the corresponding provision of the Transkeian law.

75. Parliament may by law repeal or alter any provision of this Act.

Amendment of Act.

76. This Act shall be called the Republic of Transkei Constitution Act, 1976 and shall come into operation on 26 October 1976.

Short title and date of commencement.

SCHEDULE 1.

TERRITORIES AND DISTRICTS COMPRISING TRANSKEI AND NUMBER OF CHIEFS IN NATIONAL ASSEMBLY.

Territory	District		No. of chiefs in district qualifying for membership of Assembly.
	Name	Previous Name	
Eastern Pondoland	BIZANA	—	3
	MAXESIBENI	Mount Ayliff	1
	LUSIKISIKI	—	4
	SIPHAQENI	Flagstaff	3
	TABANKULU	—	3

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Territory	District		No. of chiefs in district qualifying for membership of Assembly.
	Name	Previous Name	
Emboland	KWABHACA	Mount Frere	2
	QUMBU	—	4
	TSOLO	—	2
Fingoland	GCUWA	Butterworth	1
	NQAMAKWE	—	1
	TSOMO	—	1
Gcalekaland	CENTANE	—	1
	GATYANA	Willowvale	1
	IDUTYWA	—	2
	XHORA	Elliotdale	1
Maluti	HERSCHEL	—	6
	MATATIELE	—	5
	MOUNT	—	3
	FLETCHER	—	—
Tembuland	ENGCOBO	—	3
	MQANDULI	—	6
	UMTATA	—	1
Umzimkulu	UMZIMKULU	—	4
Western Pondoland	LIBODE	—	1
	NGQELENI	—	2
	UMZIMVUBU	Port St. Johns	1
Western Tembuland	COFIMVABA	St. Marks	3
	CACADU	Glen Grey	3
	XALANGA	—	2

SCHEDULE 2.

OATH OF OFFICE OF PRESIDENT OR ACTING PRESIDENT.

"In the presence of Almighty God, Who knows all and sees all

I....., about to assume

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office as President/Acting President do swear that I will render faithful service in all things to the Republic of Transkei and obey, uphold and maintain its Constitution and Laws.

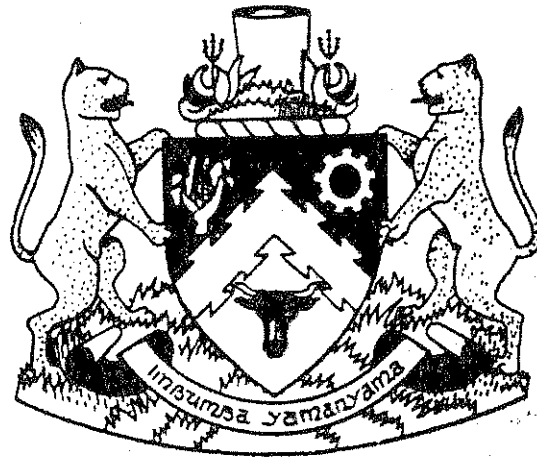
I pledge myself to carry out the duties of my high office to the best of my knowledge and ability and without regard to the interests of myself or those pertaining to me.

I solemnly promise to execute Law and Justice, with Mercy, in all my dealings, to follow after those things which may promote the unity and well-being of all my peoples and to withstand all that may be to their hurt.

All these things which I have now promised before God, I will perform and keep.
So help me God."

SCHEDULE 3.

COAT OF ARMS OF REPUBLIC OF TRANSKEI.



DESCRIPTION.

COAT OF ARMS. Per chevron Ochre and Vert, a chevron dovetailed between in chief dexter a mealiehead and sinister a cogwheel Argent and in base a bull's head caboshed proper.

WREATH. Argent and Vert.

CREST. On a mount Vert a wicker basket between two aloes proper.

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SUPPORTERS: Two leopards proper.

MOTTO: "IMBUMBA YAMANYAMA".

SCHEDULE 4.

OFFICIAL VERSION OF
"NKOSI SIKELEL'IAFRIKA".

Nkosi, sikelel'iAfrika
Maluphakam'uphondo lwayo
Yiva nemithandazo yethu
Usisikelele

CHORUS:

Yihla Moya, yihla Moya
Yihla Moya Oyingewele
Usisikelele thina lusapho lwayo.

SCHEDULE 5.

PART 1.

OATH OF OFFICE OF MINISTER.

"I do hereby swear
to be faithful to the Republic of Transkei,
to uphold its Constitution,
to respect and obey its laws,
to be a true and faithful Minister and Counsellor,
to hold the office entrusted to me with honour and
dignity,
to perform the duties of my office diligently and
conscientiously and without regard to my own
advantage or benefit, and
to keep secret any matters brought before the
Executive Council which are entrusted to me
under secrecy.
So help me God."

PART 2.

OATH OF OFFICE OF DEPUTY MINISTER.

"I do hereby swear

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to be faithful to the Republic of Transkei,
to uphold its Constitution,
to respect and obey its laws,
to hold my office as deputy Minister with honour and
dignity,
to perform the duties of my office diligently and
conscientiously and without regard to my own
advantage or benefit, and
to keep secret any matter entrusted to me under
secrecy.
So help me God."

SCHEDULE 6.

OATH: MEMBER OF NATIONAL ASSEMBLY.

"I do swear to respect and up-
hold the Constitution of Transkei and all other applicable laws and I solemnly pro-
mise to perform my duties as a member of the National Assembly with dignity and
to the best of my ability. So help me God."

SCHEDULE 7.

DESIGN OF SEAL OF SUPREME COURT OF TRANSKEI.

The Seal of the Supreme Court of Transkei shall be in the form of a circle in which
shall appear the coat-of-arms of the Republic of Transkei encompassed by a wider
circle containing the words "INKUNDLA EPHAKAMILEYO YETRANSKEI".

SCHEDULE 8.

OATH OF OFFICE OF JUDGE OF THE SUPREME COURT OF TRANSKEI.

"I do hereby swear that, in
the discharge of my office as judge of the Supreme Court of Transkei I will adminis-
ter justice to all persons without fear, favour or prejudice and in accordance with the
laws and customs of the Republic of Transkei.

So help me God."

SCHEDULE 9.

LAWS REFERRED TO IN FIRST PROVISIO TO SECTION 60(1).

No. and Year of Law	Title.
Act 24 of 1886	The Native Territories Penal Code, 1886
Act 41 of 1898	The Transkeian Territories Penal Code Amendment Act, 1898

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No. and Year of Law	Title
Act 25 of 1961	Marriage Act, 1961
Act 63 of 1963	Water Amendment Act, 1963
Act 80 of 1963	Reciprocal Enforcement of Maintenance Orders Act, 1963
Act 81 of 1963	Births, Marriages and Deaths Registration Act, 1963
Act 3 of 1964	Transkeian Development and Reserve Fund Act, 1964
Act 4 of 1965	Transkei Authorities Act, 1965
Act 5 of 1965	Transkei Roads Act, 1965
Act 6 of 1965	Transkei Animal Husbandry Improvement Account Act, 1965
Act 42 of 1965	Arbitration Act, 1965
Act 50 of 1965	Children's Amendment Act, 1965
Act 66 of 1965	Administration of Estates Act, 1965
Act 71 of 1965	Water Amendment Act, 1965
Act 79 of 1965	National Welfare Act, 1965
Act 5 of 1966	Transkeian Police Act, 1966
Act 8 of 1966	Transkei Co-operative Societies Amendment Act, 1966
Act 9 of 1966	Reciprocal Enforcement of Civil Judgments Act, 1966
Transkeian Act 9 of 1966	Transkei Education Act, 1966
Act 10 of 1966	Transkei Agricultural Development Act, 1966
Act 11 of 1966	Water Amendment Act, 1966
Act 13 of 1966	Matrimonial Affairs Amendment Act, 1966
Act 4 of 1967	Transkei Labour Laws Amendment Act, 1967
Act 5 of 1967	Transkei Road Traffic Act, 1967
Act 7 of 1967	Transkei Liquor Act, 1967
Act 18 of 1967	Animal Diseases and Parasites Amendment Act, 1967
Act 19 of 1967	Maintenance Amendment Act, 1967
Act 79 of 1967	Water Amendment Act, 1967
Act 87 of 1967	Animal Slaughter, Meat and Animal Products Hygiene Act, 1967
Act 2 of 1968	Transkeian General Law Amendment Act, 1968
Act 3 of 1968	Transkeian Artificial Insemination of Animals Act, 1968
Act 71 of 1968	Dangerous Weapons Act, 1968
Act 6 of 1969	Transkei Forest Act, 1969
Act 8 of 1969	Transkei Taxation Act, 1969
Act 9 of 1969	Transkeian Townships Amendment Act, 1969
Act 51 of 1969	Animal Diseases and Parasites Amendment Act, 1969
Act 77 of 1969	Water Amendment Act, 1969
Act 3 of 1970	Transkeian Immovable Property Taxation Act, 1970
Act 4 of 1970	Transkeian Government Service Pensions Act, 1970
Act 39 of 1970	Maintenance Amendment Act, 1970
Act 46 of 1970	Animal Diseases and Parasites Amendment Act, 1970
Act 3 of 1971	Transkeian Customary Unions' Registration Act, 1971
Act 4 of 1971	Transkeian General Law Amendment Act, 1971
Act 6 of 1971	Transkeian Nature Conservation Act, 1971
Act 54 of 1971	National Roads Act, 1971
Act 72 of 1971	Sale of Land on Instalments Act, 1971
Act 5 of 1972	Transkeian General Law Amendment Act, 1972
Act 6 of 1972	Transkeian Motor Carrier Transportation Act, 1972

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No. and Year of Law	Title
Act 7 of 1972	Animals Protection Amendment Act, 1972
Act 57 of 1972	Age of Majority Act, 1972
Act 2 of 1973	Transkeian Legal Aid Act, 1973
Act 9 of 1973	Animal Diseases and Parasites Amendment Act, 1973
Act 61 of 1973	Companies Act, 1973
Act 74 of 1973	Children's Amendment Act, 1973
Act 4 of 1974	Transkeian Marketing Act, 1974
Act 6 of 1974	Transkeian Prisons Act, 1974
Act 10 of 1974	Transkeian Apprenticeship Act, 1974
Act 28 of 1974	International Health Regulations Act, 1974
Act 42 of 1974	Publications Act, 1974
Act 52 of 1974	Homeopaths, Naturopaths, Osteopaths and Herbalists Act, 1974
Act 53 of 1974	Pharmacy Act, 1974
Act 56 of 1974	Medical, Dental and Supplementary Health Service Professions Act, 1974
Act 58 of 1974	Water Amendment Act, 1974
Act 65 of 1974	Drugs Control Amendment Act, 1974
Act 76 of 1974	Companies Amendment Act 1974
Act 8 of 1975	Transkeian General Law Amendment Act, 1975
Act 18 of 1975	Architects Amendment Act, 1975
Act 33 of 1975	Criminal Procedure Amendment Act, 1975
Act 41 of 1975	Law Societies Act, 1975
Act 42 of 1975	Water Amendment Act, 1975
Act 53 of 1975	Public Accountants and Auditors Amendment Act, 1975
Act 55 of 1975	Prescribed Rate of Interest Act, 1975
Act 63 of 1975	Expropriation Act, 1975
Act 7 of 1976	Transkeian Deeds Registry Amendment Act, 1976
Act 10 of 1976	Transkeian Corporations Act, 1976
Act 13 of 1976	Transkeian Deeds Registry Further Amendment Act, 1976
Act 14 of 1976	Transkeian Surveyor-General Act, 1976
Act 16 of 1976	Hazardous Substances Amendment Act, 1976
Act 17 of 1976	Dental Mechanicians Amendment Act, 1976
Act 19 of 1976	Medicines and Related Substances Control Amendment Act, 1976
Act 20 of 1976	Chiropractors Amendment Act, 1976
Act 27 of 1976	Water Amendment Act, 1976
Act 43 of 1976	Children's Amendment Act, 1976
Act 48 of 1976	Mental Health Amendment Act, 1976
Act 53 of 1976	Plant Improvement Act, 1976

SCHEDULE 10.

PARAMOUNT CHIEFTAINSHIPS.

1. The paramount chieftainship of Eastern Pondoland.
2. The paramount chieftainship of Gcalekaland.
3. The paramount chieftainship of Tembuland.
4. The paramount chieftainship of Western Pondoland.
5. The paramount chieftainship of Western Tembuland.

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SCHEDULE 11.

LAWS REPEALED.

No. and Year of Law	Title	Extent of Repeal
Act 38 of 1887	Transkeian Annexation Act, 1877	The whole
Act 35 of 1884	Walfish Bay and St. John's River Territories Annexation Act, 1884	The whole
Act 3 of 1885	Tembuland Annexation Act, 1885	The whole
Act 37 of 1886	Xesibe Country Annexation Act, 1886	The whole
Act 45 of 1887	Rode Valley Annexation Act, 187	The whole
Act 5 of 1894	Pondoland Annexation Act, 1894	The whole
Act 29 of 1897	Transkeian Territories, Tembuland and Pondoland Laws Act, 1897	The whole
Act 24 of 1913	Administration of Estates Act 1913	The whole
Act 44 of 1926	Financial Adjustments Act, 1926	Section 3
Act.38 of 1927	Bantu Administration Act, 1927	Sections 1,2(1), (2), (3), (5), (6), (8) <i>bis</i> and (8) <i>ter</i> , 9, 10, 11, 13, 14, 15, 16, 17, 18, 19, 25, 26 and 31
Act 9 of 1929	Bantu Administration Act, 1927, Amendment Act, 1929	Section 10
Act 45 of 1931	Financial Adjustments Act, 1931	Section 4
Act 17 of 1938	Finance Act, 1938	Sections 20 and 21
Act 46 of 1944	Finance Act, 1944	Section 18
Act 46 of 1946	Electoral Consolidation Act, 1946	The whole
Act 57 of 1946	Finance Act, 1946	Section 19
Act 50 of 1948	Electoral Law Amendment Act 1948	The whole
Act 68 of 1951	Bantu Authorities Act, 1951	The whole
Act 55 of 1952	Electoral Laws Amendment Act, 1952	The whole
Act 45 of 1953	Finance Act, 1953	Section 12
Act 49 of 1953	Reservation of Separate Amenities Act, 1953	The whole
Act 62 of 1955	General Law Amendment Act, 1955	Section 8 to 12 inclusive and the First Schedule.
Act 8 of 1957	Electoral Laws Further Amendment Act, 1957	The whole
Act 68 of 1957	General Law Amendment Act, 1957	Section 15 to 21 inclusive
Act 81 of 1957	Finance Act, 1957	Section 8
Act 30 of 1958	Electoral Laws Amendment Act, 1958	The whole
Act 37 of 1958	Finance Act, 1958	Section 10
Act 46 of 1959	Promotion of Bantu Self-government Act, 1959	The whole
Act 55 of 1959	Bantu Affairs Act, 1959	The whole
Act 10 of 1960	Reservation of Separate Amenities Amendment Act, 1960	The whole
Act 32 of 1961	Republic of South Africa Constitution Act, 1961	The whole

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No. and Year of Law	Title	Extent of Repeal
Act 76 of 1961	Finance Act, 1961	Section 5
Act 81 of 1961	Electoral Laws Amendment Act, 1961	The whole
Act 28 of 1962	Provincial Executive Committees Act, 1962	The whole
Act 46 of 1962	Bantu Laws Amendment Act, 1962	Section 13
Act 65 of 1962	Constitution Amendment Act, 1962	The whole
Act 72 of 1962	Electoral Laws Amendment Act, 1962	The whole
Act 93 of 1962	General Law Further Amendment Act, 1962	Sections 6 to 12 inclusive
Act 9 of 1963	Constitution Amendment Act, 1963	The whole
Act 22 of 1963	Provincial Councils and Executive Committees Act, 1963	The whole
Act 47 of 1963	Coloured Persons Education Act, 1963	Section 37
Act 48 of 1963	Transkeian Constitution Act, 1963	The whole
Act 64 of 1963	Provincial Executive Committees Act, 1963	The whole
Act 76 of 1963	Bantu Laws Amendment Act, 1963	Sections 13 and 14
Act 93 of 1963	General Law Further Amendment Act, 1963	Section 1
Act 42 of 1964	Bantu Laws Amendment Act, 1964	Sections 77, 78 and 79
Act 49 of 1964	Coloured Persons Representative Council Act, 1964	The whole
Act 51 of 1964	Electoral Laws Amendment Act, 1964	The whole
Act 83 of 1965	Constitution Amendment Act, 1965	The whole
Act 84 of 1965	Electoral Laws Amendment Act, 1965	The whole
Act 102 of 1965	Pensions Laws Amendment Act, 1965	Section 18
Act 1 of 1966	Transkeian Flag Act, 1966	The whole
Act 29 of 1966	Electoral Laws Amendment Act 1966	The whole
Act 36 of 1966	Group Areas Act, 1966	The whole
Act 37 of 1966	Constitution Amendment Act, 1966	The whole
Act 58 of 1966	Second Finance Act, 1966	Sections 18 and 19
Act 63 of 1966	Bantu Laws Amendment Act, 1966	Section 6
Act 9 of 1967	Constitution Amendment Act, 1967	The whole
Act 101 of 1967	Transkei Constitution Amendment Act, 1967	The whole
Act 2 of 1968	Electoral Laws Amendment Act, 1968	The whole
Act 36 of 1968	Transkei Constitution Amendment Act, 1968	The whole
Act 50 of 1968	Separate Representation of Voters Amendment Act, 1968	The whole
Act 51 of 1968	Prohibition of Political Interference Act, 1968	The whole
Act 52 of 1968	Coloured Persons Representative Council Amendment Act, 1968	The whole
Act 56 of 1968	Bantu Laws Amendment Act, 1968	Sections 5, 6 and 7
Act 3 of 1969	Transkeian (Regional Authority) Courts Act, 1969	The whole
Act 37 of 1969	Powers and Privileges of Provincial Councils Amendment Act, 1969	The whole
Act 69 of 1969	Group Areas Amendment Act, 1969	The whole
Act 99 of 1969	Electoral Laws Amendment Act, 1969	The whole
Act 101 of 1969	General Law Amendment Act, 1969	Sections 20, 23 and 24

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No. and Year of Law	Title	Extent of Repeal
Act 12 of 1970	Electoral Laws Amendment Act, 1970	The whole
Act 26 of 1970	Bantu Homelands Citizenship Act, 1970	The whole
Act 27 of 1970	Second Bantu Laws Amendment Act, 1970	Sections 4,5,6,7, 8 and 9
Act 49 of 1970	Third Bantu Laws Amendment Act, 1970	Sections 2, 3 and 12
Act 58 of 1970	Births, Marriages and Deaths Registration Amendment Act, 1970	Sections 47 and 48
Act 87 of 1970	Coloured Persons Representative Council Amendment Act, 1970	The whole
Act 1 of 1971	Constitution Amendment Act, 1971	The whole
Act 21 of 1971	Bantu Homelands Constitution Act, 1971	The whole
Act 31 of 1971	Transkei Constitution Amendment Act, 1971	The whole
Act 64 of 1971	Electoral Laws Amendment Act, 1971	The whole
Act 93 of 1971	Pension Laws Amendment Act, 1971	Section 1
Act 4 of 1972	Transkeian Marriages Act, 1972	The whole
Act 23 of 1972	Bantu Laws Amendment Act, 1972	Sections 5, 6 and 7
Act 38 of 1972	Sea-Shore Amendment Act, 1972	Section 5
Act 61 of 1972	Provincial Affairs Act, 1972	Sections 3, 4 and 5
Act 83 of 1972	Group Areas Amendment Act, 1972	The whole
Act 99 of 1972	Coloured Persons Representative Council Amendment Act, 1972	The whole
Act 102 of 1972	General Law Amendment Act, 1972	Sections 20 and 22
Act 7 of 1973	Bantu Laws Amendment Act, 1973	Sections 7, 8 and 9
Act 62 of 1973	General Law Amendment Act, 1973	Sections 4, 30 and 50
Act 79 of 1973	Constitution and Elections Amendment Act, 1973	The whole
Act 1 of 1974	Electoral Laws Amendment Act, 1974	The whole
Act 33 of 1974	Parliamentary Service Act, 1974	The whole
Act 48 of 1974	Constitution Amendment Act, 1974	The whole
Act 70 of 1974	Bantu Laws Amendment Act, 1974	Sections 9, 10, 12, 13, 14, 18, 19, 20, 21, 22, 23 and 24
Act 71 of 1974	Second Bantu Laws Amendment Act, 1974	Sections 2, 7, 8, 9 and 10
Act 72 of 1974	Group Areas Amendment Act, 1974	The whole
Act 77 of 1974	Second Pension Laws Amendment Act, 1974	Section 1
Act 94 of 1974	Second General Law Amendment Act, 1974	Sections 40, 41 and 42
Act 3 of 1975	Transkeian Administration of Estates Amendment Act, 1975	The whole
Act 32 of 1975	Coloured Persons Representative Council Amendment Act, 1975	The whole
Act 61 of 1975	Transkei Constitution Amendment Act, 1975	The whole
Act 3 of 1976	Transkei Constitution Amendment Act, 1976	The whole
Act 29 of 1976	Coloured Persons Education Amendment Act, 1976	The whole
Act 60 of 1976	Constitution Amendment Act, 1976	The whole
Act 94 of 1976	Coloured Persons Representative Council Amendment Act, 1976	The whole
Act 95 of 1976	Second Coloured Persons Education Amendment Act, 1976	The whole