

<sup>in Act</sup>  
**NP PROPOSAL**

DP: time given  
priority - given  
costs (to limit  
if damage  
before being  
brought down).

1/23/14

1. An Act of Parliament, once assented to by the President, may be referred to the Constitutional Court by at least one third of the members of the National Assembly if they have good reason to believe that the Act is unconstitutional.
2. When an Act is referred to the Constitutional Court for a declaration of its constitutionality in terms of this provision, the Constitutional Court shall consider whether a prima facie case exists and further may consider, if requested to do so, whether a stay in the implementation or operation of the Act should be ordered pending a final decision.
3. If no prima facie case exists, the Constitutional Court shall reject the referral and order the individual parties sponsoring the review to pay the costs of the application.

↳ prospect of 'reasonable success' (p 9nd1).

- Willie: incentive to ensure only serious cases brought to court (prima facie + costs). at the moment can have it argued (even if there is no case) at the expense of parliament.

- Panel: allow pol. process to complete its course -  
- assumption. This option is based on.

DP take it as advisement. (Mon. 19/2)

PAC not pleased with it.

Experts to consider reworking. (sidebar)