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CONSTITUTIONAL ASSEMBLY

**THEME COMMITTEE 2
STRUCTURE OF GOVERNMENT**

**CORE GROUP/THEME COMMITTEE
MEETINGS (18-21 APRIL 1995)**

**STRUCTURE AND FUNCTIONING OF
GOVERNMENT (NATIONAL LEVEL)**

**ADDENDUM "A"
TO TECHNICAL COMMITTEES DRAFT
REPORT: NATIONAL ASSEMBLY**

THEME COMMITTEE 2

ADDENDUM TO DRAFT REPORT

OTHER ISSUES ON THE NATIONAL ASSEMBLY

SECT	SUBJECT	CONTENT	COMMENT
46(1) 46(3) 57(3)	Summoning of NA and Parliament	*Chief Justice convenes 10 days after election *President may summon for extra- ordinary sitting for urgent busi- ness *President may summon joint sitting when deemed desirable	
38(2) 38(3)	Continua- tion after dissolution	After dissolution Parliament and members continue until day before next election	
41(8) 57(2)	Voting right of presiding officer	Presiding officer has only casting vote in event of equality of votes (in NA and joint sitting if two houses)	
42(1) 48(2)	Qualifica- tion for membership	*SA citizen *qualify as voter *at time of election serving more than 12 mths imprisonment *after commence- ment of Const, sentenced to more than 12 months (48(2) - effect of appeal) *unrehabilitated insolvent *declared of un- sound mind *holds office of profit (with 4 ex- ceptions)	

43	Vacation of seats	*become disqualified into sec 42 *ceases to be member of nominating party *resignation *15 days absence *membership of Senate, provincial legislature or local govt	
44	Filling of vacancy	*Nominated by party affected from next name on original list	
45	Oath of office	Oath and person before whom made	
46(1) 46(3)	Sittings and sessions	*Place where Parliament sit (other TC) *NA determines sessions and sittings	
56	Disqualified person sitting	Knowingly sitting while disqualified subject to penalty stipulated by rules and orders	
57	Joint sitting of two houses	*When necessary *Presiding officer (Speaker of President of Senate or other member) *presiding officer has casting vote only *President may convene when deemed desirable	
59 60 61 62	Types of legislation and procedure for passing	*Ordinary bills *money bills *bills affecting certain provincial matters *constitutional amendments	

54 63	quorum and majorities for decisions	Quorum 1/3 and 1/2 (for bills), and unless otherwise provided in Constitution, majority of votes present required	
64	Assent to bills	*President has to assent and sign unless there is procedural irregularity; becomes law on promulgation	
65	Enrolment and public access to laws	*Act kept by Registrar of Appellate Division in official languages *Signed copy prevails in event of conflict *Subject to Act protectng safety and durability of Acts, public have access	
66	Rights of non-members entitled to be in NA	President, Executive Deputy President, Minister and Deputy Minister may sit and speak but not vote in house of which he/she not member	
67	Public access to NA	Public and media have right to access subject to reasonable measures, including search, refusal and removal	
-	Constituen-cies	Whether electoral system should include constituencies	Agreement: to be discussed in conjunction with electoral system under another block