



PARLIAMENT  
OF THE REPUBLIC OF SOUTH AFRICA

# Presentation to NAPC on Constitutional Court judgments that require an action

Date: 2021.03.11



parliamentofrsa



## Progress on matters where there would be a gap in the law (1)

### Electoral Act, 1998 (Act No. 73 of 1998)

- Regarding: *New Nation Movement NPC and Others v President of the Republic of South Africa and Others [2020] ZACC 11 (11 June 2020)*.
- Suspension of the order lapses 10 June 2022.
- The Minister, Home Affairs wrote to the Portfolio Committee on Home Affairs advising that an advisory committee has been established to assist with the development on the electoral policy for the Bill. The committee comprises academics, legal practitioners, IEC officials, and former cabinet members. The Portfolio Committee is holding a two-day consultative workshop on the matter next week.

### Correctional Services Act, 1998 (Act No. 111 of 1998)

- Regarding: *Phaahla v Minister of Justice and Correctional Services [2019] ZACC 18*
- Suspension of the order lapses 2 May 2021. A read in provision applies only during the period of suspension.
- The Bill was passed by the National Assembly on 9 March 2021 and transmitted to the NCOP – the Select Committee met on 10 March 2021 for a briefing by the Department and to agree on the way forward.



**THE END**