# MINISTRY

**COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS REPUBLIC OF SOUTH AFRICA**

**NATIONAL ASSEMBLY QUESTION FOR WRITTEN REPLY QUESTION NUMBER 1412**

**1412. Mr D Joseph (DA) to ask the Minister of Cooperative Governance and Traditional Affairs.**By what date will her department start the process of introducing amending legislation in Parliament to Chapter 12 of the Constitution of the Republic of South Africa, 1996, including subsections (a) (211) (1) and (b) (212)(1) in light of the fact that the President, Mr M C Ramaphosa, signed the Traditional and Khoi-San Leadership Act, Act 3 of 2019, in December 2019? NW1783E

# REPLY:

There has never before been enabling provisions for the statutory recognition of the Khoi- San communities and leaders or for the establishment of Khoi-San structures. It is for this reason that the Traditional and Khoi-San Leadership Act, Act 3 of 2019 (hereinafter referred to as the TKLA) was enacted. The TKLA, amongst others, makes provision for the recognition of Khoi-San communities and leaders, provided they meet the criteria contained in the Act. The Department does not intend to introduce legislation in Parliament amending Chapter 12 of the Constitution. The TKLA contains comprehensive provisions relating to the Khoi-San and it is, in our view, not necessary to amend Chapter 12 of the Constitution.

# End.