



REPUBLIC OF SOUTH AFRICA

# GOVERNMENT GAZETTE

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## PRESIDENT'S OFFICE

No. 1150.

29 August 1997

It is hereby notified that the President has assented to the following Act which is hereby published for general information:—

No. 35 of 1997: Constitution of the Republic of South Africa Amendment Act, 1997.

Act No. 35, 1997 CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA AMENDMENT ACT, 1997

**GENERAL EXPLANATORY NOTE:**

Words underlined with a solid line indicate insertions in existing enactments.

**ACT**

To amend the Constitution of the Republic of South Africa, 1996, so as to make further provision in relation to the oath sworn or affirmation made by an Acting President; to extend the cut-off date in respect of the granting of amnesty; and to provide for matters connected therewith.

*(English text signed by the President.)  
(Assented to 28 August 1997.)*

**B**E IT ENACTED BY the Parliament of the Republic of South Africa, as follows:—

**Amendment of section 90 of Act 108 of 1996**

1. Section 90 of the Constitution of the Republic of South Africa, 1996 (hereinafter referred to as the principal Act), is hereby amended by the addition of the following subsection: 5

“(4) A person who as Acting President has sworn or affirmed faithfulness to the Republic need not repeat the swearing or affirming procedure for any subsequent term as Acting President during the period ending when the person next elected President assumes office.”. 10

**Amendment of Schedule 2 to Act 108 of 1996**

2. Schedule 2 to the principal Act is hereby amended by the substitution in item 1, for the introductory words preceding the oath or solemn affirmation, of the following words:

“The President or Acting President, before the President of the Constitutional Court, or another judge designated by the President of the Constitutional Court, must swear/affirm as follows:”. 15

**Amendment of Schedule 6 to Act 108 of 1996**

3. Schedule 6 to the principal Act is hereby amended by the addition to item 22 of the following subitem, the existing item becoming subitem (1):

“(2) For the purposes of subitem (1), the date ‘6 December 1993’, where it appears in the provisions of the previous Constitution under the heading ‘National Unity and Reconciliation’, must be read as ‘11 May 1994’.”. 20



## CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA AMENDMENT ACT, 1997 Act No. 35, 1997

**Short title and commencement**

4. This Act is called the Constitution of the Republic of South Africa Amendment Act, 1997, and must be regarded as having taken effect on 4 February 1997.