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## GENERAL NOTICE

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### NOTICE 701 OF 2012

#### DEPARTMENT OF WOMEN CHILDREN AND PEOPLE WITH DISABILITIES

#### WOMEN EMPOWERMENT AND GENDER EQUALITY DRAFT BILL

The Minister of Women, Children and People with Disabilities hereby publishes the Women Empowerment and Gender Equality Bill for public comment.

Any person wishing to comment on the Bill is invited to submit written comments within 30 days of publication of the notice in the *Gazette* to the following addresses:

By post:       The Director General: Department Women Empowerment and Gender  
                  Equality  
                  Attention: Adv Carien Pienaar  
                  Private Bag X 931  
                  Pretoria  
                  0001

By fax to:       086 765 9905

By e-mail:      [Natalie@dwcpd.gov.za](mailto:Natalie@dwcpd.gov.za) or

Hand delivered at: 36 Hamilton Street, Arcadia, Pretoria (Room B103).

Any inquiries in connection with the Women Empowerment and Gender Equality Bill can be directed to Adv C J Pienaar via Ms Natalie Pillay, Senior Secretary Legal Services, at 012 359 0211 or Ms Nondumiso Maome, Director: Legal Services at 012 359 0209 or [Nondumiso@dwcpd.gov.za](mailto:Nondumiso@dwcpd.gov.za)

Comments received after the closing date may not be considered.

## REPUBLIC OF SOUTH AFRICA

**WOMEN EMPOWERMENT AND GENDER EQUALITY BILL**

(MINISTER OF WOMEN CHILDREN AND PEOPLE WITH DISABILITIES)

**BILL**

**To establish a legislative framework for the empowerment of women; to give effect to section 9, read with section 2 of the Constitution of the Republic of South Africa, 1996, and in compliance with South Africa's international commitments; to provide for an obligation to adopt and implement gender mainstreaming; to provide for an offence of practices with adverse effects; to provide for matters to be regulated by the Minister; and to provide for matters related thereto.**

**PREAMBLE**

**RECOGNISING** South Africa's constitutional and international commitments in the field of human rights to promote gender equality and prohibit unfair discrimination against women;

**RECOGNISING** that historically, distinctions, exclusions or restrictions made on the basis of race, class and sex, had the effect to impair or nullify the recognition, enjoyment and exercise by women of their human rights and fundamental freedoms in the political, economic, social, cultural or any other field of their lives;

**RECOGNISING** that certain practices, including cultural, patriarchal, traditional, customary and religious practices, may impair the dignity of women and undermine equality between women and men;

**RECOGNISING** that despite a universal recognition and constitutional guarantee that lesbian, gay, bisexual, transgender and intersexual persons are endowed with

the same inalienable rights and entitled to the same protections as all human beings, they face abuse and violations of their human rights including torture, rape, and in some instances, to the extent of being killed because of their sexual orientation or gender identity;

**RECOGNISING** that gender mainstreaming offers transformation that involves neither the assimilation of women into men's ways, nor the maintenance of dualism between women and men, but establishing a new and positive form which becomes the mainstream and in which both men and women, including boys and girls, have an important role to play. Thus a change in the traditional role of men, as well as the role of women in society and in the family, is needed to achieve complete equality between men and women, and that this should be an integral part of the moral fibre of our society;

**RECOGNISING** that South Africa has made significant progress towards gender equality since 1994, by putting in place comprehensive legislative measures and the South African National Policy Framework for Women's Empowerment and Gender Equality, adopted by Cabinet in 2000;

**RECOGNISING** that all female persons are women, regardless of their age, sexual identities, expressions or orientations, and are entitled to equal treatment, equal protection, and the dignity that comes with being recognised members of our diverse society;

**RECOGNISING** that, although significant progress has been made in restructuring and transforming our society and its institutions, systemic inequalities and unfair discrimination remain deeply embedded in social structures, practices and attitudes, undermining the aspirations of our constitutional democracy;

**CONCERNED** that gender inequality perpetuates violence against women and that it restricts women's ability to use their capabilities and take advantage of opportunities, thereby reinforcing inequality;

**RECOGNISING** that gender inequality is not confined to the workplace, that it is complex and deeply rooted in society with various traditional values and ethics; and therefore, as women try to enter the labour force, discrimination already sets in. Further that the current labour market flexibility has exacerbated the socio-economic position of women, in particular young women, resulting in further inequality;

**RECOGNISING** that gender equality at the workplace can be realised when gender inequality in various fields in society is eradicated;

**ACKNOWLEDGING** that despite extensive policy and the legislative framework in place for gender equality and empowerment of women, more intractable problems of discrimination, inequalities and dire poverty are apparent;

**RECOGNISING** that statutory provisions enacted to override patriarchal, customary, traditional and religious provisions with unequal outcomes do not necessarily achieve their purpose if the law reform does not include mechanisms to overcome deeply rooted norms and attitudes that undermine gender equality. Collective societal involvement is therefore imperative for the country to realise substantive gender equality; and

**THEREFORE**, measures to address the structural and underlying causes of subordination of, and discrimination against women are essential to the transformation of gender relations in order to empower women and to eliminate all forms of discrimination against women.

**BE IT THEREFORE ENACTED** by the Parliament of the Republic of South Africa as follows:—

## ARRANGEMENT OF SECTIONS

### *Sections*

### **CHAPTER 1**

### **GENERAL**

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2. Objectives of Act

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10. Equal representation and participation

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12. Practices with adverse effects

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## SCHEDULE 1

## CHAPTER 1 GENERAL PROVISIONS

### Definitions

1. In this Act, unless the context otherwise indicates—

“**applicable legislation**” includes legislation as listed in the schedule to this Act which aims to eliminate discrimination against, and provides for the empowerment of women;

**“company”** means a company as defined in the Companies Act, 2008 (Act No. 71 of 2008);

**“company director”** means a member of the board of a company as contemplated in section 66 of the Companies Act, 2008 (Act No. 71 of 2008), and includes an alternate director, and—

- (a) a prescribed officer under the Companies Act; or
- (b) a person who is a member of a committee of a board of a company, or of the audit committee of a company,

irrespective of whether or not the person is also a member of the company’s board and by whatever name designated;

**“Constitution”** means the Constitution of the Republic of South Africa, 1996;

**“court”** means a court as outlined in section 166 of the Constitution of the Republic of South Africa, 1996;

**“gender”** means to the roles, duties and responsibilities which are culturally, socially and economically ascribed to persons of the male and female sex of all ages;

**“gender based violence”** means all acts perpetrated against women, girls, men and boys on the basis of their gender which cause or could cause them physical, sexual, psychological, emotional or economical harm, and includes threats to do so;

**“gender discrimination”** means any distinction, exclusion or restriction made on the basis of gender and sex which has the effect or purpose of impairing or nullifying the equal recognition, enjoyment or exercise by a person of their human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other aspect of life;

**“gender equality”** means equal recognition, enjoyment or exercise by a person, irrespective of his or her sex, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other aspect of life;

**“gender equity”** means fair treatment and equal opportunities and outcomes for all genders in all sectors of life through the recognition of their respective needs and interests;

**“gender mainstreaming”** includes—

- (a) preceding all organisational decisions and activities with a gender equality analysis;

- (b) assessing the implications of any planned measures, including legislation, policies, programmes and budgets, in all areas and at all levels, on the right to gender equality; and
- (c) implementing corrective measures to—
  - (i) prevent or alleviate actual and potential prejudice on either gender; and
  - (ii) contemporaneously reduce existing disparities between women and men and boys,

with the ultimate goal to achieve substantive gender equality;

**“government component”** means a national government component and provincial government component as defined in the Public Service Act, 1994 (Proclamation No. 103 of 1994);

**“Minister”** means the Cabinet Minister responsible for the administration of the Department of Women, Children and People with Disabilities;

**“national government business enterprise”** means an entity that—

- (a) is a juristic person under the ownership control of the national executive;
- (b) has been assigned financial and operational authority to carry on a business activity;
- (c) as its principal business, provides goods or services in accordance with ordinary business principles; and
- (d) is financed fully or substantially from sources other than—
  - (i) the National Revenue Fund; or
  - (ii) by way of a tax, levy or other statutory money;

**“national public entity”** means—

- (a) a national government business enterprise; or
- (b) a board, commission, company, corporation, fund or other entity, other than a national government business enterprise, that is—
  - (i) established in terms of national legislation;
  - (ii) fully or substantially funded either from the National Revenue Fund, or by way of a tax, levy or other money imposed in terms of national legislation; and
  - (iii) accountable to Parliament;

**“non-profit organisation”** means an organisation as defined in section 1 item (x) of the Non-Profit Organisations, 1997 (Act No. 71 of 1997);

“**person**” includes a juristic person, a non juristic entity, partnerships and a natural person, or group or category of natural persons;

“**practice with an adverse effect**” has the meaning assigned to it in section 13;

“**prescribe**” means prescribe by regulation;

“**private body**” includes an organised and structured institute, establishment, association, society, club or organisation other than a public or semi-public entity, functioning in a private capacity and further includes political parties, trade unions, traditional organisations, religious organisations, cultural organisations, civil society organisations and non-governmental organisations;

“**Promotion of Equality and Prevention of Unfair Discrimination Act**” means the Promotion of Equality and Prevention of Unfair Discrimination Act, 2000 (Act No. 4 of 2000);

“**provincial government business enterprise**” means an entity that—

- (a) is a juristic person under the ownership control of a provincial executive;
- (b) has been assigned financial and operational authority to carry on a business activity;
- (c) as its principal business, provides goods or services in accordance with ordinary business principles; and
- (d) is financed fully or substantially from sources other than—
  - (i) a Provincial Revenue Fund; or
  - (ii) by way of a tax, levy or other statutory money;

“**provincial public entity**” means—

- (a) a provincial government business enterprise; or
- (b) a board, commission, company, corporation, fund or other entity, other than a provincial government business enterprise, that is—
  - (i) established in terms of legislation or a provincial constitution;
  - (ii) fully or substantially funded either from a Provincial Revenue Fund or by way of a tax, levy or other money imposed in terms of legislation; and
  - (iii) accountable to a provincial legislature;

“**public entity**” means a national, provincial or local public enterprise or institution that is directly or indirectly controlled by the state;



“**reasonable accommodation**” means modifications or adjustments to afford women access to information, education, skills development, resources, justice, employment opportunities and a safe and secure physical and emotional environment;

“**semi-public entity**” means an entity, wholly or partially controlled by government;

“**sex**” refers to the biological difference between women and men;

“**sexism**” means prejudice or discrimination against people on the basis of their sex;

“**special measures**” includes, but is not limited to, measures, policies, programmes or steps designed to protect or advance women who have been disadvantaged by unfair discrimination and which actively seek to—

- (a) eliminate gender discrimination;
- (b) empower women; and
- (c) afford women equal participation,

by ensuring and promoting equal opportunities, real choices and positive outcomes for women in all sectors of life;

“**substantive gender equality**” means gender equality in practice (*de facto*) and in law (*de jure*);

“**this Act**” includes any regulation made under this Act;

“**women**” includes girls, and women and girls with disabilities; and

“**women empowerment**” means the advancement of women as contemplated in section 9(2) of the Constitution through integrated strategies, frameworks, programmes, plans, activities and budgets which aim to eliminate structural inequalities and to enable women to gain power and control over decisions and resources that determine the quality of their lives in a sustainable manner.

## Objectives of Act

2. The objectives of the Act are to—

- (a) give effect to—
  - (i) the letter and spirit of the Constitution, in particular the values of non-racialism and non-sexism;

- (ii) section 9 of the Constitution to ensure that women participate equally in social, political and economic structures of society by providing for women empowerment and gender mainstreaming in the public sector, private sector and civil society; and
- (b) eliminate detrimental cultural, economical, religious, social and traditional practices against women.

### **Interpretation of Act**

3. Nothing in this Act may be interpreted to limit, amend or replace a provision in applicable legislation or any legislation addressing gender equality, empowerment of women or the elimination of unfair discrimination based on gender.

### **Application of Act**

4. Subject to section 13(1), this Act applies to the following entities:
- (a) Organs of state as outlined in section 239 of the Constitution;
  - (b) the executive in the national, provincial and local spheres of government;
  - (c) government components;
  - (d) national and provincial government business enterprises;
  - (e) companies;
  - (f) non-profit organisations;
  - (g) public entities and institutions;
  - (h) semi-public entities and institutions; and
  - (i) other private bodies.

## CHAPTER 2 GOVERNANCE

### Mandate of Minister

5. (1) The Minister may, in order to promote and coordinate the achievement of substantive gender equality for women—

- (a) monitor, review and oversee the progress of an entity referred to in section 4 of this Act, in achieving women empowerment and substantive gender equality;
- (b) establish mechanisms to promote substantive gender equality; and
- (c) issue and enforce an integrated, co-ordinated and uniform framework to achieve women empowerment and substantive gender equality.

(2) The Minister may, in order to fulfil her mandate, as contemplated in subsection (1), access information from monitoring and overseeing entities.

### Directives by Minister

6. (1) The Minister may issue a directive to an entity which the Minister on reasonable grounds believes is not substantially complying with this Act or applicable legislation.

(2) A directive issued in terms of subsection (1) may require an entity to submit a written report within a period specified by the Minister, on information within the scope and ambit of that entity's responsibilities regarding any or all of the following:

- (a) Progress in the elimination of discrimination against women;
- (b) measures contemplated in section 8 of this Act, and sanctions upon non-compliance with such measures;
- (c) progress on gender mainstreaming;
- (d) the status of women representation and participation of women in decision-making structures;

- (e) annual numerical goals towards increasing women empowerment;
  - (f) disaggregated gender, age and disability related data on women empowerment;
  - (g) an analysis referred to in section 19 of the Employment Equity, 1998 (Act No. 55 of 1998), with specific reference to women; or
  - (h) matters as prescribed.
- (3) The directive contemplated in subsection (1) must clearly state—
- (a) who it is addressed to;
  - (b) the issues, including statistics with disaggregated data, to report on;
  - (c) the documentation to be submitted to substantiate any information provided in the report;
  - (d) the time frames, as determined by the Minister, for the submission of the report; and
  - (e) the address where the report must be submitted.

### **Compliance notice by Minister**

7. (1) If an entity fails to report as directed in section 6(2), the Minister may, in writing, issue a compliance notice to the entity to report as instructed, within the time frames provided in the compliance notice.

(2) If, based on a report contemplated in section 6(2) of this Act, or upon failure to comply with a notice issued in terms of section 7(1) of this Act, the Minister on reasonable grounds believes that an entity is not complying with any applicable legislation or is engaging in an activity that is inconsistent with this Act, the Minister may issue a compliance notice to that entity.

(3) A compliance notice referred to in subsection (1) must include a copy of the original directive issued by the Minister and must clearly state—

- (a) the conditions and time frames for submission of the report; and
  - (b) the address where the report must be submitted.
- (c) the enforcement measures intended by the Minister in the event of non-compliance with the directive.

(4) A compliance notice referred to in subsection (2) must state clearly—

- (a) who the addressee is;
- (b) the provisions of this Act or applicable legislation that has not been complied with;
- (c) the details of the nature and extent of non-compliance;
- (d) the required corrective measures to be taken to address discrimination against women or improve women empowerment and gender equality in compliance with this Act and other applicable legislation;
- (e) the period within which the corrective measures must be taken;
- (f) the conditions and time frames for the report;
- (g) the address where the report must be submitted.

(5) Wilful and unlawful failure to obey a compliance notice issued in terms of section 7(1) or (2) constitutes an offence.

(6) An entity that contravenes subsection (5) is liable upon conviction to a fine or, in default of payment, to imprisonment for a period not exceeding ten years.

(7) A court may consider as an aggravating circumstance the fact that an entity committed the offence with deliberate disregard for the provisions of this Act.

(8) A company director or the executive head of an entity is liable for the failure of the company or entity to obey a compliance notice.

### **CHAPTER 3 EMPOWERMENT**

#### **Measures to empower**

8. (1) All entities, must within their ambit of responsibilities, eliminate discrimination against, and empower, women politically, socially and economically by—

- (a) changing the conditions and circumstances which hinder achievement of sustainable, substantive gender equality;

- (b) mainstreaming gender in all strategies, policies, programmes, budgets, so as to empower and benefit women;
- (c) ensuring reasonable accommodation of the needs and interests of women;
- (d) establishing appropriate and relevant measures designed to recognise and support the reproductive, productive, family and community roles of women in various sectors of life;
- (e) enforcing gender equality legislation, policies and strategies within their mandate through—
  - (i) setting targets to improve compliance with such legislation, policies and strategies;
  - (ii) auditing factors that cause and contribute to non-compliance with such legislation, policies and strategies;
  - (iii) encouraging and rewarding compliance with such legislation, policies and strategies;
  - (iv) sanctioning non-compliance with such legislation, policies and strategies; and
  - (v) implementing appropriate corrective measures that may be needed to improve and achieve compliance with such legislation, policies and strategies,

unless good cause can be shown why women are not so empowered in a particular instance.

(2) For purposes of this section, “good cause” refers to justifiable inherent requirements related to the nature of the relevant area or sector, but does not include lack of capacity, scarcity of skills or limited resources.

(3) Special measures must be implemented, which actively seek to—

- (a) eliminate gender discrimination;
- (b) empower women;
- (c) afford women equal representation and participation in all sectors of life; and
- (d) eliminate the exploitation of women and children in the labour market.

(4) It is not unfair discrimination to implement special measures to eliminate discrimination against, or to empower, women who have been directly or indirectly disadvantaged, excluded or adversely affected or will potentially be so disadvantaged, excluded or adversely affected by discriminatory legislation, policy or practices in any sector of life, with specific emphasis on women who live in rural areas, townships and informal settlements.

### **Gender mainstreaming**

9. Entities must adopt and implement gender mainstreaming.

### **Economic empowerment**

10. Entities must—

- (a) empower women to participate fully in economic life across all sectors and on all levels of economic activity.
- (b) promote women's access to economic opportunities and productive resources, and empower women for control and ownership of economic production processes; and
- (c) recognise and support the economic value of the reproductive, productive, family and community roles of women in various sectors of life.

### **Equal representation and participation**

11. All entities must, within their ambit of responsibilities develop measures to achieve at least 50 per cent representation and meaningful participation of women in decision-making structures, which must include—

- (a) setting targets for such representation and participation;
- (b) building women's capacity to participate;
- (c) enhancing the understanding and attitudes of men and boys to accept the capabilities and participation of women and girls as their equals; and
- (d) developing support mechanisms for women

for the progressive realisation towards 50 per cent representation and meaningful participation of women.

## **CHAPTER 4**

### **ENFORCEMENT, OFFENCES AND PENALTIES**

#### **Enforcement**

**12.** Subject to the provisions in Chapter 4 of the Intergovernmental Relations Framework Act, 2005 (Act No. 13 of 2005), the Minister, acting in the interests of women as a group or class of persons, may use any and all dispute resolution mechanisms, including parliamentary procedures and court processes, to address—

- (a) gender discrimination; and
- (b) non-compliance with, contravention, or breach of any provision of this Act.

#### **Practices with adverse effects**

**13.** (1) This section applies to the entities referred to in section 4 of this Act and all persons.

(2) It is an offence to wilfully and unlawfully participate in, or perpetuate, a practice of male or female dominance over women which infringes, or is likely to infringe the fundamental rights of women, or have a substantial adverse effect on their wellbeing.

(3) A person who contravenes subsection (2) is liable upon conviction to a fine or, in default of payment, to imprisonment for a period not exceeding five years.

(4) The court that imposes a sentence under subsection (3) must at least consider as an aggravating factor the fact that the convicted person committed the offence with deliberate disregard to subsection (2).

(5) In this section, “adverse effect” includes disadvantages entrenching the power status quo against women and gender based violence.



## CHAPTER 5

### REGULATIONS AND SHORT TITLE

#### Regulations

14. (1) The Minister may, by Notice in the *Gazette*, publish a code of good practice and norms and standards on gender mainstreaming and women empowerment, and may make regulations regarding—

- (a) the establishment of institutional mechanisms to promote substantive gender equality;
- (b) recommendations for the review of, and consultation on, applicable legislation;
- (c) directives to an entity to report to the Minister;
- (d) compliance notices to an entity to achieve substantive gender equality;
- (e) corrective measures and sanctions to encourage and reward compliance, and to address non-compliance, with the Act and applicable legislation;
- (f) transformation measures towards achieving gender equality; or
- (g) any other matter that is reasonably necessary or expedient to achieve the object of this Act.

(2) A regulation made under this section may provide that any person who contravenes a provision thereof or fails to comply therewith is guilty of an offence and on conviction, is liable to a fine or to imprisonment for a period not exceeding 12 months.

#### Short title and commencement

15. This Act is called the Women Empowerment and Gender Equality Act, 2012, and comes into effect on a date fixed by the President by proclamation in the *Government Gazette*.

## SCHEDULE

### APPLICABLE LEGISLATION

No. and year of law	Title	Relevant sections
Act 70 of 1979	Divorce Act	7. Division of assets and maintenance of parties
Act 3 of 1996	Land and Reform (Labour Tenants) Act	Chapter 2, 3 and 5
Act 66 of 1995	Labour Relations Act	7. Protection of employers' rights 49. Representativeness of council
Act 78 of 1996	Land Restitution and Reform Laws Amendment Act	The entire Act
Act 84 of 1996	South African Schools Act	The entire Act
Act 92 of 1996	Choice on Termination of Pregnancy Act	The entire Act
Act 75 of 1997	Basic Conditions of Employment Act	<b>Chapter 3</b> <b>Leave</b> 25. Maternity leave 26. Protection of employees before and after birth of a child 27. Family responsibility leave  <b>Chapter 6</b> <b>Prohibition of Employment of Children and Forced Labour</b> 43. Prohibition of employment of children 44. Employment of children of 15 years or older 45. Medical examinations 46. Prohibitions 47. Evidence of age 48. Prohibition of forced labour
Act 101 of 1997	Higher Education Act	<b>Chapter 2</b>
Act 107 of 1997	Housing Act	5. South African Housing Development Board 6. National housing data bank and information system 8. Provincial housing development boards 10. Administration of national housing programmed by municipalities 11. South African Housing Fund
Act 108 of 1997	Water Services Act	<b>Chapters 3 – 6</b>
Act 19 of 1998	Prevention of Illegal Eviction from and Unlawful Occupation of Land Act	3. Prohibition of receipt or solicitation of consideration in respect of unlawful occupation of land 4. Eviction of unlawful occupiers
Act 55 of 1998	Employment Equity Act	The entire Act
Act 95 of 1998	Housing Consumer Protection Measures Act	<b>Chapter 3</b> <b>Protection of Housing Consumers</b> 13. Conclusion of agreements and implied terms 14. Enrolment
Act 97 of 1998	Skills Development Act	The entire Act
Act 99 of 1998	Maintenance Act	The entire Act
Act 100 of 1998	Aged Persons Amendment Act	The entire Act
Act 105 of 1998	National Empowerment Fund Act	3. Objects of the Trust 8. Appointment of Trustees 16. Powers of Trustees

		18. Financing of Trust 20. Reports 21. Promotion and Establishment of Investment Entities 24. Establishment of Investment Holding Company 25. Funds of Trust
Act 108 of 1998	National Development Agency Act	3. Objects of the NDA 4. Duties and powers of the NDA 10. Financing
Act 116 of 1998	Domestic Violence Act	The entire Act
Act 117 of 1998	Local Government: Municipal Structures Act	18. Municipal Councils 20. Number of Councillors 22. Elections of Metro and Local Councils 23. Election and Appointment of District Councils  <b>Chapter 4</b> <b>Internal Structures and Functionaries</b> <b>Part 1: Executive Committees</b> 42. Establishment 43. Composition 45. Election of members <b>Part 3: Metropolitan Sub-councils</b> 62. Establishment 63. Composition <b>Part 5: Other Committees of Municipal Councils</b> 79. Establishment 80. Committees to assist <b>Part 6: Participation of Traditional Leaders</b> 81. Participation in Councils <b>Part 7: Municipal Managers</b> 82. Appointment
Act 120 of 1998	Recognition of Customary Marriages Act	2. Recognition of Customary Marriages 3. Requirements for validity of customary marriages 4. Registration of customary marriages 6. Equal status and capacity of spouses 7. Proprietary consequences of customary marriages and contractual capacity of spouses 8. Dissolution of customary marriages
Act 4 of 2000	Promotion of Equality and Prevention of Unfair Discrimination Act	<b>Chapter 2</b> <b>Prevention, Prohibition and Elimination of Unfair Discrimination, Hate Speech and Harassment</b> 6. Prevention and general prohibition of unfair discrimination 7. Prohibition of unfair discrimination on ground of race 8. Prohibition of unfair discrimination on ground of gender 9. Prohibition of unfair discrimination on ground of disability  <b>Chapter 5</b> <b>Promotion of Equality</b> 24. General responsibility to promote equality 25. Duty of State to promote equality 26. Responsibility of persons operating in public domain to promote equality 27. Social commitment by all persons to promote equality 28. Special measures to promote equality with regard to race, gender and disability

		<p><b>Chapter 7</b>  <b>Review of Act, Short title and Commencement</b>  32. Establishment of Equality Review Committee  33. Powers, functions and term of office of Equality Review Committee</p>
Act 5 of 2000	Preferential Procurement Policy Framework Act	2. Framework for implementation of preferential procurement policy
Act 63 of 2000	Home Loan and Mortgage Disclosure Act	2. Disclosure obligations by financial institution 3. Information to be disclosed by financial institution
Act 63 of 2001	Unemployment Insurance Act	<p><b>Chapter 2</b>  11. Accounting, Auditing and Financial Reporting</p> <p><b>Chapter 3:</b>  <b>Part A: Claiming benefits</b>  12. Right to benefit  13. Calculation of benefits  <b>Part B: Unemployment benefits</b>  15. Calculation of period of unemployment under this Part  16. Right to unemployment benefits  17. Application for unemployment benefits  18. Payment of unemployment benefits  <b>Part C: Illness benefits</b>  19. Determination of period of illness under this Part  20. Right to illness benefits  21. Calculation of illness benefits  22. Application for illness benefits  23. Payment of illness benefits  <b>Part D: Maternity benefits</b>  24. Right to maternity benefits  25. Application for maternity benefits  26. Payment of maternity benefits  <b>Part E: Adoption benefits</b>  27. Right to adoption benefits  28. Application for adoption benefits  29. Payment of adoption benefits  <b>Part F: Dependant's benefits</b>  30. Right to dependant's benefits  31. Application for dependant's benefits  32. Payment of dependant's benefits</p> <p><b>Chapter 5</b>  <b>Commissioner and Claims Officers</b>  43. Designation of Unemployment Insurance Commissioner  46. Appointment of claims officers</p> <p><b>Chapter 6</b>  <b>Unemployment Insurance Board</b>  47. Establishment of Unemployment Insurance Board  49. Composition of Unemployment Insurance Board</p>
Act 53 of 2003	Broad-Based Black Economic Empowerment Act	4. Establishment of Black Economic Empowerment Advisory Council 5. Functions of Council 6. Composition of Council and appointment of members 7. Constitution and rules of Council 8. Remuneration and reimbursement of expenses 9. Codes of good practice 10. Status of codes of good practice

		<p>11. Strategy for broad-based black economic empowerment</p> <p>12. Transformation charters</p>
Act 63 of 2003	National Health Act	The entire Act
Act 32 of 2004	Securities Services Act	<p><b>Chapter II</b>  <b>Regulation and Supervision of Securities Services</b></p> <p>5. Registrar and Deputy Registrar of Securities Services</p> <p>6. Financial Markets Advisory Board</p> <p><b>Chapter III</b>  <b>Exchanges</b>  <i>General provisions in relation to exchange</i></p> <p>21. Reporting of transactions in listed securities</p> <p>28. Use of designation "stockbroker" and related designations</p> <p><b>Chapter IV</b>  <b>Custody and administration of securities</b>  <b>Licensing of Central Securities Depository</b></p> <p>30. Application for central securities depository licence</p> <p>31. General requirements applicable to applicant for central securities depository licence</p> <p>32. Licensing of central securities depository</p> <p><b>Participant</b></p> <p>34. Acceptance of participant</p> <p><b>Functions of participant</b></p> <p>35. Functions of participant</p> <p><b>Nominee</b></p> <p>36. Approval of nominee</p> <p><b>Chapter VI</b>  <b>Clearing House</b>  <b>Licensing of clearing house</b></p> <p>64. Application for clearing house licence</p> <p>65. General requirements applicable to applicant for clearing house licence</p> <p>66. Licensing of clearing house</p> <p>67. Renewal, cancellation or suspension of clearing house licence</p> <p><b>Chapter IX</b>  <b>General Provisions</b>  <b>Auditing</b></p> <p>88. Auditor</p> <p>89. Accounting records and audit</p> <p>90. Functions of auditor</p> <p>91. Furnishing of information in good faith by auditor</p> <p>92. Power of registrar to request audit</p> <p><b>Powers of registrar and court</b></p> <p>93. Powers of registrar to investigate or conduct inspection</p> <p>94. Powers of registrar after investigation or inspection</p> <p>95. Power of registrar to impose penalties</p> <p>96. Power of court to declare person disqualified</p> <p><b>Enforcement committee</b></p> <p>97. Establishment of enforcement committee</p>

		98. Composition of enforcement committee
Act 34 of 2005	National Credit Act	16. Research and public information
Act 38 of 2005	Children's Act	The entire Act
Act 19 of 2006	Children's Act	The entire Act
Act 32 of 2007	Criminal Law (Sexual Offences and Related Matters) Amendment Act	The entire Act
Act 54 of 2008	National Youth Development Act	The entire Act
Act 68 of 2008	Consumer Protection Act	<b>Right of equality in consumer market</b> 8. Protection against discriminatory marketing
Act 71 of 2008	Companies Act	<b>Chapter 2</b> <b>Formation, Administration and Dissolution of Companies</b> <b>Part F: Governance</b> 77. Liability of directors and prescribed officers  <b>Chapter 3</b> <b>Enhanced Accountability and Transparency</b> <b>Part B</b> <b>Company secretary</b> 88. Duties of company secretary 88(2)(b) Making the Directors aware of any law relevant to or affecting the Company <b>Part C</b> <b>Auditors</b> 90. Appointment of auditor 92. Rotation of auditors 93. Rights and restricted functions of auditors  <b>Part D</b> <b>Audit committees</b> 94. Audit Committees  <b>Chapter 4</b> <b>Public Offerings of Company Securities</b> 95(1)(b). Compliance Officer  <b>Chapter 7</b> <b>Remedies and Enforcement</b> <b>Part D</b> <b>Complaints to Commission or Panel</b> 171. Issuance of compliance notices  <b>Chapter 8</b> <b>Regulatory Agencies and Administration of Act</b> <b>Part A</b> <b>Companies and Intellectual Property Commission</b> 188. Reporting, research, public information and relations with other regulators 189. Appointment of Commissioner 191. Establishment of specialist committees 192. Constitution of specialist committees <b>Part B</b> <b>Companies Tribunal</b> 193 Establishment of Companies Tribunal 194. Appointment of Companies Tribunal 195. Functions of Companies Tribunal <b>Part C</b> <b>Takeover Regulation Panel</b>

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		196. Establishment of Takeover Regulation Panel 197. Composition of Panel 198. Chairperson and deputy chairpersons 202. Takeover Special Committee <b>Part D</b> <b>Financial Reporting Standards Council</b> 203. Establishment and composition of Council
Act 11 of 2009	Reform of Customary Law of Succession and Regulation of Related Matters Act	The entire Act

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