



Wes-Kaapse Provinsiale Parlement
Western Cape Provincial Parliament
IPalamente yePhondo leNtshona Koloni

HAVE YOUR SAY

RECOGNITION OF CUSTOMARY MARRIAGES AMENDMENT BILL [B 12–2019]

The Western Cape Provincial Parliament's Standing Committee on Community Safety, Cultural Affairs and Sport invites stakeholders and interested parties to attend a public hearing on the Recognition of Customary Marriages Amendment Bill [B 12–2019] being organised as part of the Standing Committee's constitutional responsibility.

The purpose of the Amendment Bill is to regulate further the proprietary consequences of customary marriages entered into before the commencement of the Recognition of Customary Marriages Act, 1998 (Act 120 of 1998). This is in order to bring the provisions of the Act in line with the judgments of the Constitutional Court as the Court found certain provisions to be constitutionally invalid because these provisions discriminate unfairly against certain women in customary marriages. The effect of this amendment is that the proprietary consequences of a polygamous customary marriage will no longer be governed by customary law.

The public hearing is arranged as follows:

Date: 22 September 2020

Time: 09:00 – 13:00

Venue: Microsoft Teams virtual meeting

Interested persons and organisations are encouraged to attend and participate in the public hearing and to submit written input on the Amendment Bill to the Standing Committee on Community Safety, Cultural Affairs and Sport for consideration. Only input on the content of the Amendment Bill will be considered.

Please submit submissions on the Amendment Bill to Mr Waseem Matthews, Procedural Officer, either by email (wmatthews@wcpp.gov.za) or as a voice note on WhatsApp (cellphone number: 076 633 3133). Submissions must reach the Standing Committee on Community Safety, Cultural Affairs and Sport before or on **28 September 2020**. Please indicate whether a verbal presentation on the written submission will be made.

Further information and an electronic version of the Amendment Bill will be published on the Western Cape Provincial Parliament's website (www.wcpp.gov.za). Copies of the Amendment Bill will be sent to interested persons on request.

Issued by Mr RI Allen (MPP), Chairperson of the Standing Committee on Community Safety, Cultural Affairs and Sport.



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LUG JOU MENING

WYSIGINGSWETSONTWERP OP ERKENNING VAN GEBRUIKLIKE HUWELIKE (“RECOGNITION OF CUSTOMARY MARRIAGES AMENDMENT BILL”) [W 12– 2019]

Die Wes-Kaapse Provinsiale Parlement se Staande Komitee oor Gemeenskapsveiligheid, Kultuursake en Sport nooi belanghebbendes en belangstellende partye uit om ’n openbare verhoor oor die Wysigingswetsontwerp op Erkenning van Gebruiklike Huwelike (“Recognition of Customary Marriages Amendment Bill”) [W 12–2019] by te woon wat as deel van die Staande Komitee se grondwetlike verantwoordelikheid gereël word.

Die doel van die Wysigingswetsontwerp is om die vermoënsregtelike gevolge van gebruiklike huwelike wat voor die inwerkingtreding van die Wet op Erkenning van Gebruiklike Huwelike, 1998 (Wet 120 van 1998), aangegaan is, verder te reguleer. Dit is ten einde die bepalings van die Wet in ooreenstemming te bring met die uitsprake van die Konstitusionele Hof aangesien die Hof bevind het dat sekere bepalings grondwetlik ongeldig is omdat hierdie bepalings onbillik teenoor sekere vroue in gebruiklike huwelike diskrimineer. Die gevolg van hierdie wysiging is dat die vermoënsregtelike gevolge van poligame gebruiklike huwelike nie langer aan die gewoontereg onderhewig is nie.

Die openbare verhoor is soos volg gereël:

Datum: 22 September 2020

Tyd: 09:00 - 13:00

Plek: Microsoft Teams- virtuele vergadering

Belangstellende persone en organisasies word aangemoedig om die openbare verhoor by te woon en daaraan deel te neem en om skriftelike insette oor die Wysigingswetsontwerp aan die Staande Komitee oor Gemeenskapsveiligheid, Kultuursake en Sport vir oorweging voor te lê. Slegs insette oor die inhoud van die Wysigingswetsontwerp sal oorweeg word.

Stuur asseblief alle voorleggings oor die Wysigingswetsontwerp aan mnr Waseem Matthews, Prosedurebeampte, of per e-pos (wmatthews@wcpp.gov.za) óf as ’n stemnota op WhatsApp (selfoonnommer: 076 633 3133). Voorleggings moet die Staande Komitee oor Gemeenskapsveiligheid, Kultuursake en Sport voor of op **28 September 2020** bereik. Dui asseblief aan of ’n mondelinge aanbieding oor die skriftelike voorlegging gemaak sal word.

Verdere inligting en ’n elektroniese weergawe van die Wysigingswetsontwerp sal op die Wes-Kaapse Provinsiale Parlement se webtuiste (www.wcpp.gov.za) gepubliseer word. Afskrifte van die Wysigingswetsontwerp sal op versoek aan belangstellende persone gestuur word.

Uitgereik deur mnr RI Allen (LPP), Voorsitter van die Staande Komitee oor Gemeenskapsveiligheid, Kultuursake en Sport.



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VAKALISA ULUVO LWAKHO

UMTHETHO OSAYILWAYO WOLUNGISO WONAKANO LWEMITSHATO YESINTU [B 12–2019]

IKomiti eSisigxina kuKhuseleko loLuntu, iMicimbi yezeNkcubeko nezeMidlalo yePalamente yePhondo leNtshona Koloni imema ababandakanyekayo namaqela anomdla ukuba azimase umanyelo-zimvo zoluntu ngoMthetho oSayilwayo woLungiso woNakano lweMitshato yeSintu [B 12–2019] oluququzelelwe njengxenye yoxanduva lweKomiti eSisigxina lomgaqo-siseko.

Injongo yoMthetho oSayilwayo woLungiso kukumisela kwakhona iziphumo zobunini bepropathi bemitshato yesintu ekungenwe kuyo phambi koqaliso loMthetho woNakano lweMitshato yeSintu, 1998 (uMthetho 120 ka-1998). Oku kusemgceni nokuzisa izibonelelo zoMthetho ngokuhambelana nezigwebo zeNkundla yoMgaqo-siseko njengoko le nkundla yafumanisa izibonelelo ezithile zingangqamelani ngokomgaqo-siseko kuba ezi zibonelelo zibandlulula kakubi ngakumanina athile akwimitshato yesintu. Ifuthe lesi silungiso kukuba iziphumo zobunini bepropathi bomtshato wesintu wesithembu azizi kuphinda zilawulwe ngumthetho wemveli.

Umanyelo-zimvo zoluntu lulungiselelwe ngolu hlobo:

UMhla: 22 Septemba 2020

IXesha: 09:00 – 13:00

INdawo: Intlanganiso yobuxhakaxhaka bale mihla baMaqela eMicrosoft

Abantu nemibutho enomdla iyakhuthazwa ukuba izimase kwaye ithabathe inxaxheba kumanyelo-zimvo zoluntu kwaye ingenise uluvo olubhaliweyo ngoMthetho oSayilwayo woLungiso kwiKomiti eSisigxina kuKhuseleko loLuntu, iMicimbi yezeNkcubeko nezeMidlalo ukuze luqwalaselwe. Kuphela luluvo ngomxholo woMthetho oSayilwayo oluza kuqwalaselwa.

Nceda ungenise amangenelo ngoMthetho oSayilwayo woLungiso kuMnu Waseem Matthews, iGosa leeNkqubo zeMigaqo, mhlawumbi nge-imeyile, (wmatthews@wcpp.gov.za) okanye ngenqaku lelizwi kuWhatsApp (inombolo yomnxeba kanomyayi: 076 633 3133). Amangenelo makafike kwiKomiti eSisigxina kuKhuseleko loLuntu, iMicimbi yezeNkcubeko nezeMidlalo phambi okanye ngowama-**28 Septemba 2020**. Nceda ubonakalise ukuba ingaba kuza kwenziwa intetho yomlomo na ngongenelo olubhaliweyo.

Ulwazi oluthe vetshe kunye nobume obukwikhompuyutha boMthetho oSayilwayo buza kupapashwa kwiwebhsaythi yePalamente yePhondo leNtshona Koloni (www.wcpp.gov.za). Iikopi zoMthetho oSayilwayo ziza kuthunyelwa kubantu abanomdla za kucelwa.

Sikhutshwe nguMnu RI Allen (MPP), uSihlalo weKomiti eSisigxina kuKhuseleko loLuntu, iMicimbi yezeNkcubeko nezeMidlalo.