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No. 30476

THE PRESIDENCY

No. 1082

16 November 2007

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

No. 18 of 2007: National Sport and Recreation Amendment Act, 2007.

IHHOVISI LIKAMONGAMELI

Ino. 1082

16 November 2007

Ngalokhu kwaziswa ukuthi uMongameli usewuvumile loMthetho nosewuzoshicilelelwa umphakathi:—

Ino. 18 ka-2007: Umthetho Wokuchibiyela Ezemidlalo kanye Nezokuzithokozisa Kazwelonke, 2007.

Act No. 18, 2007 NATIONAL SPORT AND RECREATION AMENDMENT ACT, 2007

GENERAL EXPLANATORY NOTE:

[] Words in bold type in square brackets indicate omissions from existing enactments.

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

(English text signed by the President.)
(Assented to 12 November 2007.)

ACT

To amend the National Sport and Recreation Act, 1998 (Act No 110 of 1998) so as to delete and insert certain definitions; to substitute the Sport Confederation and Sport and Recreation South Africa, where applicable, for the South African Sports Commission; to provide for the Minister to intervene in certain sports disputes; to provide for the issuing of guidelines for the promotion of equity, representivity and redress in sport and recreation; and to provide for matters connected therewith

PREAMBLE

WHEREAS government has a constitutional obligation to ensure good and responsible governance of sport and recreation in the Republic;

AND WHEREAS the administration of sport and recreation in the Republic has been entrusted to sport and recreation bodies;

AND WHEREAS sport and recreation belongs to the nation over which government with its elected representatives have an overall responsibility;

AND WHEREAS recorded malpractices and poor governance in sport has resulted in disputes over the past few years necessitate intervention by government;

AND IN ORDER to redress the inequalities in sport and recreation by optimizing the participation, involvement and ownership of previously disadvantaged communities in the playing, administration, management and support of sport and recreation in the Republic.

BE IT THEREFOR ENACTED by the Parliament of the Republic of South Africa, as follows:—

UMBHALO OCHAZAYO OJWAYELEKILE:

- [] Amagama abhalwe ngokugqamile akubakaki abayizikwele akhombisa ukweqiwa okwenziwe emithethweni esimisiwe.
- Amagama adwetshelwe ngomugqa ogqamile akhombisa ukufakela okwenziwe emithethweni esivele ikhona.

(English text signed by the President.)
(Assented to 12 November 2007.)

UMTHETHO

Ukuchibiyela Umthetho Kazwelonke Wezemidlalo kanye Nezokuzithokozisa, 1998 (Inamba yoMthetho 110 ka-1998) ukuze kucishwe bese kufakwa izincazelo ezithize; ukufaka esikhundleni seNhlango Yezemidlalo kanye neZemidlalo kanye Nezokuzithokozisa eNingizimu Afrika, lapho okusebenza khona, Ikhomishini Yezemidlalo; ukuhlinzekela ukuthi uNgqongqoshe angenelele ezimpikiswaneni ezithize zezemidlalo; ukuhlinzekela ukukhipha iziqondiso zokukhuthaza ukulingana, ukumeleleka kanye nokulungisa kwezemidlalo kanye nakwezokuzithokozisa; kanye nokuhlinzekela izindaba ezixhumene nakho

ISANDULELO

NAKUBA uhulumeni enesibopho somthethosisekelo sokuqinisekisa ukubusa okuhle nokwethembekayo kwezemidlalo kanye nezokuzithokozisa eRiphabhuliki;

FUTHI NAKUBA ukuphathwa kwezemidlalo kanye nezokuzithokozisa eRiphabhliki kwanikezelwa ezinhlanganweni zezemidlalo kanye nezokuzithokozisa;

FUTHI NAKUBA ezemidlalo kanye nezokuzithokozisa kungezesizwe uhulumeni ngabameleli bakhe abakhethiwe unomsebenzi wokubhekana nakho jikelele;

FUTHI NAKUBA kunobufakazi bokungasebenzi kahle kanye nokubusa okubi kwezemidlalo okwaholela ezimpikiswaneni eminyakeni embalwa eyedlule kudingeka ukuthi uhulumeni angenelele;

FUTHI UKUZE kulungiswe ukungalingani kwezemidlalo kanye nakwezokuzithokozisa ngokukhulisa ukuhlanganyela, ukubandakanyeka kanye nobunikazi emiphakathini eyayincishwe amathuba esikhathini esedlule ekudlaleni, ekuphatheni imisebenzi yasehhovisi, ekuphatheni kanye nasekwesekeni ezemidlalo kanye nezokuzithokozisa eRiphabhliki.

NGAKHO-KE MAWUMISWE yiPhalamende leRiphabhuliki kanje:—

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Amendment of section 1 of Act 110 of 1998

1. Section 1 of the National Sport and Recreation Act, 1998 (hereinafter referred to as the principal Act), is hereby amended by—

- (a) the deletion of the definition of “**General Assembly**”;
- (b) the insertion after the definition of “**General Assembly**” of the following definition: 5
 “**‘high performance sport’** means the high level participation in major international sporting events including but not limited to world championships and other international multi-sport events such as the Olympic Games, Commonwealth Games, Paralympic Games and All Africa Games;”;
- (c) the substitution for the definition of “**Minister**” of the following definition: 10
 “**‘Minister’** means the Minister responsible for Sport and Recreation in South Africa;”;
- (d) the deletion of the definition of “**NAPCOSA**”;
- (e) the substitution for the definition of “**national federation**” of the following definition: 15
 “**‘national federation’** means a national governing body of a code of sport or recreational activity in the Republic recognised by the relevant international controlling body as the only authority for the administration and control of the relative code of sport or recreational activity in the Republic;”;
- (f) the deletion of the definition of “**NOCSA**”;
- (g) the deletion of the definition of “**provincial department of sport and recreation**”; 25
- (h) the deletion of the definition of “**Recreation Movement**”;
- (i) the deletion of the definition of “**SANREC**”;
- (j) the deletion of the definition of “**SISA**”;
- (k) the insertion of the following definition after the definition of “**SISA**”:
 “**‘Sport and Recreation South Africa’** means the National Department of Sport and Recreation;”;
- (l) the substitution for the definition of “**sport or recreation body**” of the following definition: 30
 “**‘sport or recreation body’** means any national federation, agency or body, including a trust or registered company of such a national federation, agency or body, involved in the administration of sport or recreation at national level;”;
- (m) the deletion of the definition of “**Sports Commission**”;
- (n) the insertion of the following definition after the definition of “sport or recreation body”:
 “**‘Sports Confederation’** means the Confederation recognised by the Minister in terms of section 2 which is representative of sport or recreation bodies including Olympic national federations;” 35
- (o) deletion of the definition of “**Sports Movement**”; and
- (p) the deletion of the definition of “**WASSA**”. 45

Amendment of section 2 of Act 110 of 1998

2. Section 2 of the principal Act is hereby amended by—

- (a) the substitution for subsection (1) of the following subsection: 50
 “(1) The Minister must recognise in writing a Sports Confederation which will be the national co-ordinating macro body for the promotion and development of high performance sport in the Republic.”;

Ukuchitshiyelwa kwesigaba 1 soMthetho 110 ka-1998

1. Isigaba 1 soMthetho Kazwelonke Wezemidlalo kanye Nezokuzithokozisa, 1998 (lapha ushiwo njengoMthetho omkhulu, lapha uchitshiyelwa—

- (a) Ngokucisha incazelo yo **“Mkhandlu Jikelele”**;
- (b) Ngokufaka emva kwencazelo yo **“Mkhandlu Jikelele”** le ncazelo 5
elandelayo:
“‘ezemidlalo ezisebenza ngezinga eliphezulu’ kusho izinga eliphezulu lokuhlanganyela ezinqubeni zemidlalo ezinkulu, zamazwe omhlaba kubandakanya kodwa kungenamkhawulo emqhudelwaneni yamazwe omhlaba kanye nezinye izinqubo zemidlalo eminingi zamazwe 10
omhlaba ezifana neMidlalo Yama-Olimpiki (Olympic Games), Imidlalo Yama-Commonwealth (Commonwealth Games), Imidlalo Yabantu Abakhubazekile (Paralympic Games) kanye neMidlalo ye-Afrika Yonkana (All Africa Games);”;
- (c) ngokufaka esikhundleni sencazelo ka **“Ngqongqoshe”** incazelo elandelayo: 15
“‘Ungqongqoshe’ kusho uNgqongqoshe obhekene neZemidlalo kanye Nokuzithokozisa eNingizimu Afrika;”;
- (d) ngokucisha incazelo ye **“NAPCOSA”**;
- (e) ngokufaka esikhundleni sencazelo ye **“nhlangano kazwelonke”** incazelo 20
elandelayo:
“‘nhlangano kazwelonke’ kusho umkhandlu kazwelonke obusayo wekhodi yezemidlalo noma umsebenzi wezokuzithokozisa kuRiphabhliki owaziwayo umkhandlu ofanele olawula emazweni omhlaba njengamandla kuphela okuphatha kanye nokulawula ekhodi yezemidlalo noma yomsebenzi wezokuzithokozisa kuRiphabhliki;”;
- (f) ngokucisha incazelo ye **“NOCSA”**;
- (g) ngokucisha incazelo yo **“mnyango wesifundazwe wezemidlalo kanye nokuzithokozisa”**;
- (h) ngokucisha incazelo ye **“Nhlangano Yokuzithokozisa”**;
- (i) ngokucisha incazelo ye **“SANREC”**; 30
- (i) ngokucisha incazelo ye **“SISA”**;
- (k) ngokufaka incazelo elandelayo emva kwencazelo ye **“SISA”**;
“‘Ezemidlalo kanye Nezokuzithokozisa eNingizimu Afrika’ kusho Umnyango Kazwelonke Wezemidlalo kanye Nezokuzithokozisa;”;
- (l) ngokufaka esikhundleni sencazelo ye **“nhlangano yezemidlalo noma yezokuzithokozisa”** incazelo elandelayo: 35
“‘umkhandlu wezemidlalo noma wokuzithokozisa’ kusho nanoma iyiphi nhlangano kazwelonke, igatsha noma umkhandlu, kubandakanya itrasti noma inkampani ebhalisiwe yaleyo nhlangano kazwelonke, igatsha noma umkhandlu, okubandakanyekayo ekuphatheni ezemidlalo 40
nezokuzithokozisa ezingeni likazwelonke;”;
- (m) ngokucisha incazelo ye **“Khomishani Yezemidlalo”**;
- (n) ngokufaka incazelo elandelayo emva kwencazelo yo **“mkhandlu wezemidlalo noma wokuzithokozisa”**;
“‘Inhlangano Yamaqembu Ezemidlalo’ kusho Inhlangano 45
yamaqembu ahlonishwa nguNgqongqoshe ngokwesigaba 2 emelele imikhandlu yezemidlalo noma yokuzithokozisa kubandakanya izinhlangano zikazwelonke zama-Olimpiki;”;
- (o) ngokucisha incazelo ye **“Nhlangano Yezemidlalo”**; kanye
- (p) nangokucisha incazelo ye **“WASSA”**. 50

Ukuchitshiyelwa kwesigaba 2 soMthetho 110 ka-1998

2. Isigaba 2 soMthetho omkhulu siyachitshiyelwa lapha—

- (a) Ukufaka esikhundleni sesigatshana (1) sesigatshana esilandelayo: 55
“(1) Ungqongqoshe kufanele asho ngokubhala Inhlangano Yamaqembu Ezemidlalo ezoba umkhandlu omkhulu wokuxhumanisa kazwelonke wokukhuthaza kanye nokuthuthukisa ezemidlalo ezisebenza ngezinga eliphezulu eRiphabhliki.”;

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- (b) the substitution for subsection (2) of the following subsection:
 “(2) [**The Sports Commission**] The Sports Confederation may, from time to time, develop guidelines for the promotion and development of high performance sport [and recreation].”;
- (c) the substitution in subsection (3) for paragraph (b) of the following paragraph: 5
 “(b) In relation to high performance sport, a government ministry, department, province or local authority referred to in paragraph (a) may consult with the Sports Confederation.”;
- (d) the substitution for subsection (4) of the following subsection: 10
 “(4) [**All sports and recreation bodies must consult and co-ordinate with the Sports Commission on any matter that has been prescribed by regulation.**] The Sports Confederation must co-ordinate all activities relating to high performance sport including team preparations and must consult with all the relevant sport bodies in that regard.”.
- (e) the insertion of the following subsections after subsection (4): 15
 “(5) All national federations must develop its sports or recreational activity at club level in accordance with—
 (a) the service level agreement referred to in section 3A;
 (b) the development programmes referred to in section 10(3); and
 (c) the guidelines issued by the Minister in terms of section 13A, 20
 and submit the progress on such development to Sport and Recreation South Africa and Parliament on an annual basis.
 (6) The Minister must advise the Minister of Finance if a national federation fails to develop its sports or recreational activity as contemplated in subsection (5), to be dealt with in accordance with an Act of 25
 Parliament administered by that Minister.”.

Deletion of section 3 of Act 110 of 1998

3. Section 3 of the principal Act is hereby deleted.

Insertion of section 3A of Act 110 of 1998

4. The following section is hereby inserted in the principal Act, after section 3: 30

“Service level agreement

3A. The Sports Confederation and national federations must, in the prescribed manner, enter into a service level agreement with Sport and Recreation South Africa in respect of any function assigned to them by this Act.”.

35

Amendment of section 4 of Act 110 of 1998

5. Section 4 of the principal Act is hereby amended—
 (a) by the substitution for subsection (1) of the following subsection: 40
 “(1) The Minister may, after consultation with[,] or after consideration of proposals made by [**the Sports Commission and NOCSA, in respect of the Olympic Games,**] the Sports Confederation in so far as high performance sport is concerned, from time to time, determine the general policy to be pursued with regard to sport and recreation.”; and

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NEZOKUZITHOKOZISA KAZWELONKE, 2007

- (b) ukufaka esikhundleni sesigatshana (2) sesigatshana esilandelayo:
“(2) **[Ikhomishini Yezemidlalo]** Inhlango Yamaqembu Ezemidlalo, ingahlala ihlale, yenze iziqondiso zokukhuthaza kanye nokuthuthukisa ezemidlalo ezisebenza ngezinga eliphezulu **[kanye nokuzithokozisa]**.”; 5
- (c) ukufaka esikhundleni sesigatshana (3) sendima (b) sendima elandelayo:
(b) Maqondana nezemidlalo ezisebenza ngezinga eliphezulu, umnyango kaNgqongqoshe, umnyango, isifundazwe noma umthetho wasekhaya oshiwo endimeni (a) ungabonisana neNhlango Yamaqembu Ezemidlalo.”; 10
- (d) ukufaka esikhundleni sesigatshana (4) sesigatshana esilandelayo:
“(4) **[Yonke imikhandlu yezemidlalo nokuzithokozisa kufanele ibonisane futhi ixhumane neKhomishani Yezemidlalo nganoma yiluphi udaba olushiwo isimiso somthetho.]** Inhlango Yamaqembu Ezemidlalo kufanele ixhumanise yonke imisebenzi ephathelene nezemidlalo ezisebenza ngezinga eliphezulu kubandakanya namalungiselelo amathimba futhi kufanele ibonisane nayo yonke imikhandlu yezemidlalo efanele maqondana nalokhu.”; 15
- (e) ukufakwa kwalezi zigatshana ezilandelayo emva kwesigatshana (4):
“(5) Zonke izinhlangano zikazwelonke kufanele zenze umsebenzi wazo wezemidlalo noma wokuzithokozisa ezingeni lekilabhu ngokuhambisana— 20
(a) nesivumelwano sezinga lomsebenzi elishiwo esigabeni 3A;
(b) nezinhlalelo zokuthuthukisa ezishiwo esigabeni 10(3); kanye
(c) neziqondiso ezikhishwe nguNgqongqoshe ngokwesigaba 13A, futhi zilethe inqubekela phambili kuleyo ntuthuko kweZemidlalo kanye Nezokuzithokozisa eNingizimu Afrika kanye nasePhalamende ngonyaka. 25
(6) Ungqongqoshe kufanele atshele uNgqongqoshe Wezezimali uma kungukuthi inhlango kazwelonke iyehluleka ukweza umsebenzi wayo wezemidlalo kanye nezokuzithokozisa njengoba kushiwo esigatshaneni (5), ukuthi kubhekwane nayo ngokuhambisana noMthetho WePhalamende ophethwe yilowo Ngqongqoshe.”. 30

Ukucishwa kwesigaba 3 soMthetho 110 ka-1998

3. Isigaba 3 soMthetho omkhulu siyachitshiyelwa lapha. 35

Ukufakwa kwesigaba 3A soMthetho 110 ka-1998

4. Isigaba esilandelayo siyafakwa lapha eMthethweni omkhulu, emva kwesigaba 3:

“Isivumelwano sezinga lomsebenzi

3A. Inhlango Yamaqembu Ezemidlalo kanye nezinhlango zikazwelonke kufanele, ngendlela eshiwo, ingene esivumelwaneni sezinga lomsebenzi neZemidlalo kanye Nezokuzithokozisa eNingizimu Afrika maqondana nanoma yimuphi umsebenzi abawunikezwayo kulo Mthetho.”. 40

Ukuchitshiyelwa kwesigaba 4 soMthetho 110 ka-1998

5. Isigaba 4 soMthetho omkhulu siyachitshiyelwa lapha— 45
(a) ukufaka esikhundleni sesigatshana (1) sesigatshana esilandelayo:
“(1) UNGqongqoshe, emva kokubonisana [,], noma emva kokucabanga ngeziphakamiso ezenziwa [, yeKhomishani Yezemidlalo kanye ne-NOCSA, maqondana neMidlalo Yama-Olimpiki,] Inhlango Yamaqembu Ezemidlalo maqondana nezemidlalo ezisebenza ngezinga eliphezulu, ihlala ihlale, isho inqubomgomo jikelele okufanele ilandelwe maqondana nezemidlalo kanye nokuzithokozisa.”; futhi 50

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- (b) by the substitution in subsection (2) for paragraph (b) of the following paragraph:
 “(b) providing funds annually for the creation and upgrading of basic multipurpose sport and recreation facilities subject to the provisions of section 10 and according to priorities as determined, from time to time, by [Sports Commission] Sport and Recreation South Africa in consultation with provincial [,] and local government and relevant sport [and] or recreation bodies;”.
- (c) the substitution for subsection (3) of the following subsection:
 “(3) The policy as determined by the Minister binds all [sports and] sport or recreation bodies.”.

Deletion of section 5 of Act 110 of 1998

6. Section 5 of the principal Act is hereby deleted.

Amendment of section 6 of Act 110 of 1998

7. Section 6 of the principal Act is hereby amended—
- (a) by the substitution for a heading of the following heading:
 “**National [and recreation] federations**”
- (b) by the substitution for subsection (1) of the following subsection:
 “(1) [The national and recreation] National federations must assume full responsibility for the safety issues within their sport and recreation disciplines.”;
- (c) by the substitution for subsection (2) of the following subsection:
 “(2) [The national and recreation] National federations must actively participate in and support programmes and services of [the Sports Commission] Sport and Recreation South Africa and the Sports Confederation, in so far as high performance sport is concerned.”;
- (d) by the insertion of the following subsections after subsection (2):
 “(3) National federations must—
 (a) before recruiting a foreign sport person to participate in sport in the Republic, satisfy themselves that there are no other persons in the Republic suitable to participate in such a sport;
 (b) ensure that such a recruited sports person complies with all the relevant criteria pertaining to entry into the Republic as contemplated in the Immigration Act, 2002 (Act No 13 of 2002);
 (c) advise the Minister in writing of the full names and countries of origin of all such persons recruited for such purposes and confirm that there are no other suitable persons in the Republic as contemplated in paragraph (a); and
 (d) ensure that the recruitment conforms to the guidelines issued by the Minister in terms of section 13A.
 (4) For the purposes of this section, “foreign sports person” means any person recruited in terms subsection (3) to participate in sport in the Republic including administrators or support staff.”.

- (b) ngokufaka esikhundleni sesigatshana (2) sendima (b) sendima elandelayo:
 (b) Ukuhlinzeka izimali ngonyaka zokuzithokozisa kanye nokwenza ngcono izinsiza eziyisisekelo zokwenza izinto eziningi zezinsiza zemidlalo kanye nezokuzithokozisa kuya ngokuhlinzeka kwesigaba 10 nangokwezinto ezihamba phambili ohlwini njengoba kushiwo, ngezikhathi ezahlukene, [Ikhomishani Yezemidlalo] Ezemidlalo kanye Nezokuzithokozisa eNingizimu Afrika ngokubonisana nobulumeni wesifundazwe [J] kanye nowasekhaya kanye nemikhandlu yezemidlalo [kanye] noma yokuzithokozisa efanele;”.
- (c) ukufaka esikhundleni sesigatshana (3) sesigatshana esilandelayo:
 “(3) Inqubomgomo njengoba ishiwo uNgqongqoshe ibopha zonke [ezemidlalo kanye] nemikhandlu yezemidlalo noma yokuzithokozisa.”.

Ukucishwa kwesigaba 5 soMthetho 110 ka-1998

6. Isigaba 5 soMthetho omkhulu siyacishwa lapha.

Ukuchitshiyelwa kwesigaba 6 soMthetho 110 ka-1998

7. Isigaba 6 soMthetho omkhulu siyachitshiyelwa lapha—

- (a) ngokufaka isihloko esikhundleni sesihloko esilandelayo:
 “Izinhlalano zikazwelonke [kanye nezokuzithokozisa]”
- (b) ngokufaka esikhundleni sesigatshana (1) sesigatshana esilandelayo:
 “(1) [Uzwelonke kanye nokuzithokozisa] Izinhlalano zikazwelonke kufanele zithathe imisebenzi yezindaba zokuphepha ngokugcwele emikhakheni yazo yezemidlalo kanye nokuzithokozisa.”;
- (c) ngokufaka esikhundleni sesigatshana (2) sesigatshana esilandelayo:
 “(2) [Uzwelonke kanye nokuzithokozisa] Izinhlalano zikazwelonke kufanele zihlanganyele ngokukhuthala ezinhlelweni nasekuzesekeni kanye nemisebenzi ye[Khomishini Yezemidlalo] Ezemidlalo kanye Nezokuzithokozisa eNingizimu Afrika kanye neNhlalano Yamaqembu Ezemidlalo, maqondana nezemidlalo ezisebenza ngezinga eliphezulu.”;
- (d) ngokufakwa kwezigatshana ezilandelayo emva kwesigatshana (2):
 “(3) Izinhlalano zikazwelonke kufanele—
- (a) Ngaphambi kokuthi zifune umuntu wezemidlalo emazweni angaphandle ukuthi azohlanganyela kuRiphabhliki, bazanelise ngokwabo ukuthi abekho abanye abantu kuRiphabhliki abafanele ukuhlanganyela kulowo mdlalo;
- (b) baqiniseke ukuthi lowo muntu wezemidlalo ofuniwe uhambisana nazo zonke izinqubo zokukhetha ezifanele maqondana nokungena kuRiphabhliki njengoba kushiwo eMthethweni Wokuthuthela Kwelinye Izwe, 2002 (Umthetho No 13 ka-2002); futhi
- (c) beluleke uNgqongqoshe ngokumbhalela ngamagama agcwele kanye namazwe endabuko yabo bonke labo bantu abafuniwe ngenxa yalezo zinhloso futhi baqinisekise ukuthi abekho yini abanye abantu abafanele kuRiphabhliki njengoba kushiwo endimeni (a).
- (d) baqinisekise ukuthi ukufuna abantu kuyahambisana neziqondiso ezikhishwe nguNgqongqoshe ngokwesigaba 13A.
- (4) Ngokwezinhloso zalesi sigaba, “umuntu wezemidlalo ovela ezweni elingaphandle” kusho nanoma yimuphi umuntu ofunwe ngokwesigatshana (3) ukuze ahlanganyele kwezemidlalo kuRiphabhliki kubandakanya abaphathi noma abasebenzi abasizayo.”.

Substitution of section 7 of Act 110 of 1998

8. The following section is hereby substituted for section 7 of the principal Act:

“Training of sport and recreation leaders

7. (1) The Sports Confederation may, in order to address the education and training needs in high performance sport: 5
- (a) provide support in organising and presenting training workshops, courses and seminars for high performance sport leaders, managers, administrators, sport coaches and technical officials in cooperation with the relevant national federations and other macro-bodies; 10
 - (b) take steps to ensure that the training material is standardised in compliance with the unit standards as developed by the Standard Generating Bodies for Sport, Recreation and Fitness; 10
 - (c) maintain a database of trained high performance sport leaders, managers, administrators, sport coaches and technical officials referred to in paragraph (a) in cooperation with the relevant national federations and macro-bodies; and 15
 - (d) develop and continuously update a strategic framework for education and training. 15
- (2) Sport and Recreation South Africa may, in order to address the education and training needs in sport and recreation: 20
- (a) provide support in organising and presenting training workshops, courses and seminars for sport and recreation leaders, managers, administrators, sport coaches and technical officials in cooperation with the relevant national federations and other macro-bodies; 25
 - (b) take steps to ensure that the training material is standardised in compliance with the unit standards as developed by the Standard Generating Bodies for Sport, Recreation and Fitness; 25
 - (c) maintain a database of trained sport and recreation leaders, managers, administrators, sport coaches and technical officials referred to in paragraph (a) in cooperation with the relevant national federations and macro-bodies; and 30
 - (d) develop and continuously update a strategic framework for education and training.”. 30

Amendment of section 8 of Act 110 of 1998

9. Section 8 of the principal Act is hereby amended— 35
- (a) by the substitution for subsection (1) of the following subsection: 35
 - “(1) [**The Sports Commission will**] Sport and Recreation South Africa must, in accordance with its funding policy and [**the provisions of**] section 10, provide physical facilities for sport and recreation [**at national level**] nationally, as prescribed, depending on the availability of funds.”; 40
 - (b) by the substitution for subsection (3) of the following subsection: 45
 - “(3) [**The Sports Commission will**] Sport and Recreation South Africa must when planning such facilities, ensure that special consideration is given to the accessibility of such facilities to sports people and spectators with disabilities.”. 45

Ukufaka esikhundleni sesigaba 7 soMthetho 110 ka-1998

8. Isigaba esilandelayo sifakwa lapha esikhundleni sesigaba 7 soMthetho omkhulu:

“Ukuqeqesha abaholi bezemidlalo kanye nezokuzithokozisa

7. (1) Inhlangano Yamaqembu Ezemidlalo, ukuze ibhekele izidingo zemfundo kanye nokuqeqeshwa kwezemidlalo zokusebenza ngezinga eliphezulu: 5
- (a) inganikeza usizo ngokuhlela nokwethula imihlangano yokufundisana yokuqeqesha, izifundo kanye namasemina abaholi bezemidlalo abasebenza ngezinga eliphezulu, abaphathi, abaphathi bemisebenzi yasehhovisi, abaqeqeshi kwezemidlalo kanye nezisebenzi zobuchwepheshe ngokubambisana nezinhlangano zikazwelonke ezifanele kanye neminye imikhandlu emikhulu; 10
- (b) ingathatha izinyathelo zokuqinisekisa ukuthi izinto zokuqeqesha zilinganiswe ngokuhambisana namazinga eyunithi njengoba enziwa Imikhandlu Yokwenza Amazinga Ezemidlalo, Ezokuzithokozisa kanye Nokuqina Kwesimo Somzimba; 15
- (c) ingagcina uhlu lwamagama abaholi bezemidlalo abaqeqeshiwe abasebenza ngezinga eliphezulu, abaphathi, abaphathi bemisebenzi yasehhovisi, abaqeqeshi kwezemidlalo kanye nezisebenzi zobuchwepheshe abashiwo endimeni (a) ngokubambisana nezinhlangano zikazwelonke ezifanele kanye neminye imikhandlu emikhulu; futhi 20
- (d) bangenza futhi baqhubeke nokufaka ulwazi olusha ohlakeni lwesu lwemfundo nokuqeqesha. 25
- (2) Ezemidlalo kanye Nezokuzithokozisa eNingizimu Afrika, ukuze kubhekele izidingo zemfundo kanye nokuqeqeshwa kwezemidlalo kanye nezokuzithokozisa: 25
- (a) kunganikeza usizo ngokuhlela nokwethula imihlangano yokufundisana neyokuqeqesha, izifundo kanye namasemina abaholi bezemidlalo nezokuzithokozisa, abaphathi, abaphathi bemisebenzi yasehhovisi, abaqeqeshi kwezemidlalo kanye nezisebenzi zobuchwepheshe ngokubambisana nezinhlangano zikazwelonke ezifanele kanye neminye imikhandlu emikhulu; 30
- (b) kungathatha izinyathelo zokuqinisekisa ukuthi izinto zokuqeqesha zilinganiswe ngokuhambisana namazinga eyunithi njengoba enziwa Imikhandlu Yokwenza Amazinga Ezemidlalo, Ezokuzithokozisa kanye Nokuqina Kwesimo Somzimba; 35
- (c) kungagcina uhlu lwamagama abaholi bezemidlalo kanye nokuzithokozisa abaqeqeshiwe, abaphathi, abaphathi bemisebenzi yasehhovisi, abaqeqeshi kwezemidlalo kanye nezisebenzi zobuchwepheshe abashiwo endimeni (a) ngokubambisana nezinhlangano zikazwelonke ezifanele kanye neminye imikhandlu emikhulu; futhi 40
- (d) kungenza futhi kuqhubeke nokufaka ulwazi olusha ohlakeni lwesu yemfundo nokuqeqesha.”.

Ukuchitshiyelwa kwesigaba 8 soMthetho 110 ka-1998

9. Isigaba 8 soMthetho omkhulu siyachitshiyelwa lapha— 45

- (a) ngokufaka esikhundleni sesigatshana (1) sesigatshana esilandelayo: 45
- “(1) **[Ikhomishani Yezemidlalo]** Ezemidlalo kanye Nezokuzithokozisa eNingizimu Afrika kufanele, ngokuhambisana nenqubomgomo yayo yokusiza ngezimali kanye **[nokuhlinzeka]** kwesigaba 10, izohlinzeka ngezinsiza zendawo yezemidlalo kanye nezokuzithokozisa **[ezingeni likazwelonke]**, kuzwelonke njengoba kushiwo, kuya ngokuthi zikhona yini izimali.”; 50
- (b) ngokufaka esikhundleni sesigatshana (3) sesigatshana esilandelayo: 55
- “(3) **[Ikhomishani Yezemidlalo]**, Ezemidlalo kanye Nezokuzithokozisa eNingizimu Afrika kufanele uma zihlela lezo zinsiza, ziqinisekise ukuthi kunikezwa ukubhekela okuyisipesheli ekutholakaleni kwalezo zinsiza kubantu bezemidlalo kanye nababukeli abakhubazekile.”;

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Amendment of section 9 of Act 110 of 1998

10. Section 9 of the principal Act is hereby amended—

- (a) by the substitution for subsection (1) of the following subsection: 5
 “(1) **[The Sports Commission] Sport and Recreation South Africa** must organize programmes aimed at mobilizing the nation to play.”;
- (b) by the substitution in subsection (2) for the words preceding paragraph (a) of the following words:
 “**[The Sports Commission] Sport and Recreation South Africa** must—”;
- (c) by the substitution in subsection (2) for paragraph (c) of the following paragraph: 10
 “(c) encourage the provincial sport and recreation departments to employ the programmes of **[the Sports Commission] Sport and Recreation South Africa**”.

Amendment of section 10 of Act 110 of 1998

11. Section 10 of the principal Act is hereby amended— 15

- (a) by the substitution in subsection (1) for the words preceding paragraph (a) of the following words:
 “**[The Sports Commission] Sport and Recreation South Africa** must, in accordance with its funding policy—”;
- (b) by the substitution for subsection (2) of the following subsection: 20
 “(2) (a) **[The Sports Commission] Sport and Recreation South Africa** must, in allocating funds to the national **[and recreation]** federations, determine the proportion of funding that must be used towards development.
 (b) National federations must annually indicate to Sport and Recreation South Africa in writing, the names of the specific clubs under its respective control and the proportion of funding that these clubs have received during the specific year for development purposes from funding provided to these clubs by— 25
 (i) the national federations out of the funds received from Sport and Recreation South Africa; 30
 (ii) the national federations out of its own funds; and
 (iii) the national federations out of the funds received from other persons or bodies.”;
- (c) by the substitution for subsection (3) of the following subsection: 35
 “(3) (a) No funding will be provided and no recognition as prescribed will be given by Sport and Recreation South Africa to national **[or recreation]** federations where—
 (i) no development programmes exist; 40
 (ii) **[or where]** federations exclude persons from the disadvantaged groups, particularly women and people with disabilities, from participating at top level of sport; or
 (iii) national federations have misused the funding referred to in subsection (2)
 (b) Where Sport and Recreation South Africa has decided not to provide funding or give recognition to the national federations as contemplated in paragraph (a), the Minister may publish such decision in the *Gazette*.”. 45

Amendment of section 11 of Act 110 of 1998

12. Section 11 of the principal Act is hereby amended— 50

- (a) by the substitution for subsection (1) of the following subsection:
 “(1) **[The Sports Commission] The Sports Confederation** must, with the concurrence of the Minister, establish a national colours board which will consider all applications for the awarding of national colours.”;

Ukuchitshiyelwa kwesigaba 9 soMthetho 110 ka-1998**10. Isigaba 9 soMthetho omkhulu siyachitshiyelwa lapha—**

- (a) ngokufaka esikhundleni sesigatshana (1) sesigatshana esilandelayo: 5
 “(1) **[Ikhomishani Yezemidlalo]** Ezemidlalo kanye Nezokuzithokozisa eNingizimu Afrika kufanele ihlele izinhlelo okuhloswe ngazo ukuthi kukhuthazwe isizwe ukuthi sidlale.”;
- (b) ngokufaka esikhundleni sesigatshana (2) amagama eza ngaphambi kuka-(a) wala magama alandelayo: 10
 “**[Ikhomishani Yezemidlalo]** Ezemidlalo kanye Nezokuzithokozisa eNingizimu Afrika kufanele—”;
- (c) ngokufaka esikhundleni sesigatshana (2) sendima (c) yendima elandelayo: 15
 “(c) ikhuthaze iminyango yesifundazwe yezemidlalo kanye nokuzithokozisa ukuthi isebenzise izinhlelo **[Ikhomishani Yezemidlalo]** Ezemidlalo kanye Nezokuzithokozisa eNingizimu Afrika.”;

Ukuchitshiyelwa kwesigaba 10 soMthetho 110 ka-1998

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11. Isigaba 10 soMthetho omkhulu siyachitshiyelwa lapha—

- (a) ngokufaka esikhundleni sesigatshana (1) amagama eza ngaphambi kwendima (a) yala magama alandelayo: 20
 “**[Ikhomishani Yezemidlalo]** Ezemidlalo kanye Nezokuzithokozisa eNingizimu Afrika kufanele ngokuhambisana nenqubomigomo yayo yokuxhasa nezimali—”;
- (b) ngokufaka esikhundleni sesigatshana (2) sesigatshana esilandelayo: 25
 “(2) (a) **[Ikhomishani Yezemidlalo]** Ezemidlalo kanye Nezokuzithokozisa eNingizimu Afrika kufanele, ekwabeni izimali ezinhlanganweni zikazwelonke **[nakwezokuzithokozisa]**, kusho ingxenye yemali okufanele isetshenziselwe maqondana nentuthuko. 30
 (b) Izinhlango zikazwelonke kufanele njalo ngonyaka ziveze kweZemidlalo kanye Nezokuzithokozisa eNingizimu Afrika ngokubhala, amagama amakilabhu athize ngqo angaphansi kolawulo lwabo kanye nengxenye yosizo lwezimali la makilabhu alutholile ngonyaka othize ngezinhloso zentuthuko ezivela ezimalini zosizo ezinikwe la makilabhu yi— 35
 (i) zinhlangano zikazwelonke ngezimali ezithathwe kweZemidlalo kanye Nezokuzithokozisa eNingizimu Afrika;
 (ii) zinhlangano zikazwelonke ezimalini zazo; kanye
 (iii) nezinhlangano zikazwelonke ngezimali ezithathwe kwabanye abantu noma imikhandlu.”;
- (c) ngokufaka esikhundleni sesigatshana (3) sesigatshana esilandelayo: 40
 “(3) (a) Akukho mali ezonikezelwa futhi akukho kubongwa njengoba kushiwo okuzonikezelwa ngeZemidlalo kanye Nezokuzithokozisa eNingizimu Afrika ezinhlanganweni **[noma ezokuzithokozisa]** zikazwelonke lapho— 45
 (i) okungekho khona izinhlelo zentuthuko ezikhona;
 (ii) **[noma lapho]** izinhlangano ezikhiphele ngaphandle khona abantu abavela emaqenjini ayencishwe amathuba, ikakhulukazi abesifazane kanye nabantu abakhubazekile, ekutheni bahlanganyele emazingeni aphezulu ezemidlalo; noma
 (iii) izinhlangano zikazwelonke ezingazisebenzisanga kahle izimali ezishiwo esigatshaneni (2). 50
 (b) Lapho Ezemidlalo kanye Nezokuzithokozisa eNingizimu Afrika zinqume ukunganikezi imali khona noma zibonge ezinhlanganweni zikazwelonke njengoba kushiwo endimeni (a), uNgqongqoshe angashicilela lesi sinqumo kuGazethi.”.

Ukuchitshiyelwa kwesigaba 11 soMthetho 110 ka-1998**12. Isigaba 11 soMthetho omkhulu siyachitshiyelwa lapha—**

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- (a) ngokufaka esikhundleni sesigatshana (1) sesigatshana esilandelayo: 55
 “(1) **[Ikhomishani Yezemidlalo]** Inhlango Yamaqembu Ezemidlalo kufanele, ngokuvuma kukaNgqongqoshe, yenze ibhodi yemibala

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- (b) by the substitution for subsection (3) of the following subsection:
 “(3) **[The Sports Commission]** The Sports Confederation may, from time to time, provide incentives for high performance sports achievers and **[recreation]** practitioners.”.

Amendment of section 13 of Act 110 of 1998

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13. Section 13 of the principal Act is hereby amended by—

- (a) the substitution for subsection (1) of the following subsection:
 “(1) (a) Every sport **[and]** or recreation body **[will]** must, in accordance with its internal procedure and remedies provided for in its constitution, resolve any dispute arising among its members or with its governing body. 10
 (b) The sport or recreation body must notify the Minister in writing of any dispute contemplated in paragraph (a) as soon it become aware of such dispute.”;
- (b) the substitution for subsection (2) of the following subsection: 15
 “(2) (a) Where the dispute cannot be resolved in terms of subsection (1), any member of the sport or recreation body in question who feels aggrieved, or the sport or recreation body itself, may submit the dispute to **[the Sports Commission]** the Sports Confederation.
 (b) The Sports Confederation must notify the Minister in writing of any dispute submitted to it in terms of paragraph (a)”; 20
- (c) the substitution for subsection (3) of the following subsection:
 “(3) **[The Sports Commission]** The Sports Confederation must, [give a decision] in relation to any dispute referred to in subsection (1) or (2),— 25
 (a) notify the relevant parties of the allegations;
 (b) invite the parties to make representations to it;
 (c) convene where necessary an inquiry into the dispute; and
 (d) in accordance with the provisions of the Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000), notify the parties of the decision [that best serves the interests of the sports or recreation body in question].” 30
- (d) the substitution in subsection (4) for the words preceding paragraph (a) of the following words:
 “(4) **[The Sports Commission]** The Sports Confederation may, at any 35
 time, of its own accord, cause an investigation to be undertaken to ascertain the truth within a sport or recreation body, where allegations of-”; and
- (e) the substitution in subsection (4) for paragraph (b) of the following paragraph: 40
 “(b) any serious or disruptive divisions between factions of the membership of the **[sports]** sport or recreation body;”;
- (f) the addition of the following subsections:
 “(5) (a) Subject to paragraph (b), the Minister may, after consultation with the relevant MEC if applicable, intervene— 45
 (i) in any dispute, alleged mismanagement, or any other related matter in sport or recreation that is likely to bring a sport or recreational activity into disrepute; or
 (ii) in any non compliance with guidelines or policies issued in terms of section 13A or any measures taken to protect or advance persons or categories of persons, disadvantaged by unfair discrimination as contemplated in section 9(2) of the Constitu- 50
 tion,

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kazwelonke ezobhekela zonke izicelo zokuthola imivuzo yemibala kazwelonke.”;

(b) ngokufaka esikhundleni sesigatshana (3) sesigatshana esilandelayo:

“(3) **[Ikhomishani Yezemidlalo] Inhlango Yamaqembu Ezemidlalo**, ingahlala ihlale, inikeze okokukhuthaza abaphumelele kwezemidlalo ngokusebenza ngokusezingeni eliphezulu kanye nabasebenzi **[bezokuzithokozisa]**.”;

Ukuchitshiyelwa kwesigaba 13 soMthetho 110 ka-1998

13. Isigaba 13 soMthetho omkhulu siyachitshiyelwa lapha—

(a) ukufaka esikhundleni sesigatshana (1) sesigatshana esilandelayo: 10

“(1) (a) Wonke umkhandlu wezemidlalo **[kanye] noma** wezokuzithokozisa kufanele, ngokuhambisana nezinqubo zawo zangaphakathi kanye namakhambi ahlinzekwe kumthethosisekelo wayo, uxazulule nanoma iyiphi impikiswano evuka kumalungu awo noma emkhandlwini wawo obusayo. 15

(b) Umkhandlu wezemidlalo noma wezokuzithokozisa kufanele wazise uNgqongqoshe ngokumbhalela ngananoma iyiphi impikiswano eshiwo endimeni (a) ngokushesha lapho uthola ulwazi ngaleyom pikiswano.”;

(b) ukufaka esikhundleni sesigatshana (2) sesigatshana esilandelayo: 20

“(2) (a) Lapho impikiswano ingaxazululeki khona ngokwesigatshana (1), nanoma yiliphi ilunga lezemidlalo noma lezokuzithokozisa okukhulunywa ngalo elicabanga ukuthi liphathwe kabi, noma ezemidlalo noma ukuzithokozisa uqobo, bangahambisa impikiswano ku**[Khomishani Wezemidlalo] Inhlango Yamaqembu Ezemidlalo**. 25

(b) Inhlango Yamaqembu Ezemidlalo kufanele yazise uNgqongqoshe ngokumbhalela ngananoma iyiphi impikiswano elethwe ngokwendima (a).”;

(c) ukufaka esikhundleni sesigatshana (3) sesigatshana esilandelayo:

“(3) **[Ikhomishani Yezemidlalo] Inhlango Yamaqembu Ezemidlalo kufanele [ikhiphe isinqumo]**, maqondana nanoma iyiphi impikiswano eshiwo esigatshaneni (1) noma (2),— 30

(a) yazise izingxenye ezifanele ngala macala;

(b) imeme amaqembu ukuthi zizokwethula izingxoxo kuyo;

(c) ibambe lapho okudingeka khona uphenyo ngempikiswano; futhi 35

(d) ngokuhambisana nokuhlinzeka koMthetho Wokukhuthaza Ubulungiswa Bokuphatha, 2000 (Umthetho No. 3 ka-2000), wazise izingxenye ngesinqumo **[esisiza kangcono kakhulu izimfuno zomkhandlu wezemidlalo noma wezokuzithokozisa okukhulunywa ngawo]**.”; 40

(d) ngokufaka esikhundleni sesigatshana (4) amagama eza ngaphambi kwendima

(a) yala magama alandelayo:

“(4) **[Ikhomshani Yezemidlalo]**, **Inhlango Yamaqembu Ezemidlalo** noma nini ngokuzithandela kwayo, ingenza ukuthi kwenziwe uphenyo ukuze ithole iqiniso emkhandlwini wezemidlalo noma wezokuzithokozisa, lapho kubekwa khona amacala—”; kanye 45

(e) ngokufaka esikhundleni sesigatshana (4) sendima (b) sendima elandelayo:

“(b) nanoma yikuphi ukhuluka okunamandla noma okuphazamisayo phakathi kokulwa kwamalunga **[ezemidlalo]** omkhandlu wezemidlalo noma wezokuzithokozisa.”; 50

(f) Ukwengeza ngezigatshana ezilandelayo:

“(5) (a) Ngokwendima (b), uNgqongqoshe, emva kokubonisana no-MEC ofanele uma kwenzeka, angangenelela—

(i) kunoma iyiphi impikiswano, ukungaphathi kahle okushiwoyo, noma nanoma yiluphi olunye udaba oluhambisana nakho kwezemidlalo noma wezokuzithokozisa okungenzeka ukuthi kwenze umsebenzi wezemidlalo noma wezokuzithokozisa ube nempikiswano; noma 55

(ii) kunoma yikuphi ukungahambisani neziqondiso noma nezinquqongomo ezikhishwe ngokwesigaba 13A noma nanoma yiziphi izindlela ezithathwe ukuvikela noma ukusa abantu phambili 60

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by referring the matter for mediation or issuing a directive, as the case may be.

(b) The Minister may not—

(i) intervene if the dispute or mismanagement in question has been referred to the Sports Confederation for resolution, unless the Sports Confederation fails to resolve such dispute within a reasonable time; and

(ii) interfere in matters relating to the selection of teams, administration of sport and appointment of, or termination of the service of, the executive members of the sport or recreation body.

(c) If a national federation fails to adhere to a decision of the mediator or directive issued by the Minister as referred to paragraph (a), the Minister may—

(i) direct Sport and Recreation South Africa to refrain from funding such federation;

(ii) notify the national federation in writing that it will not be recognised by Sport and Recreation South Africa; and

(iii) publish his or her decision as contemplated in subparagraphs (i) and (ii) in the *Gazette*.

(6) Before issuing a directive under subsection 5(a) the Minister must, by written notice —

(a) notify the relevant parties of the allegations and of his or her intention to issue a directive; and

(b) give the parties a reasonable opportunity to respond to the notice.

(7) The Sports Confederation must, on request by the Minister, submit its recommendations for the resolution of the problem contemplated in subsection (5)(a).

(8) Subject to the Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000), and without derogating from the rights of the affected parties, a decision taken in terms of subsection (5) shall be binding on the parties.”.

Insertion of section 13A, 13B and 13 C in Act 110 of 1998

14. The following sections are hereby inserted after section 13 of the principal Act:

“Guidelines or policies for the promotion of equity, representivity and redress in sport and recreation

13A. The Minister must issue guidelines or policies to promote equity, representivity and redress in sport and recreation.

Submission of membership statistics by all sport or recreation bodies

13B. Every sport or recreation body must before 1 April of each year submit to Sport and Recreation South Africa in writing membership statistics as may be prescribed.

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- noma izigaba zabantu, abancishwe amathuba ngokubandlululwa okungenaqiniso njengoba kushiwo esigabeni 9(2) soMthetho-sisekelo,
- Ngokudlulisela udaba ekulanyulweni noma ekukhipheni umyalelo, njengoba kungenzeka. 5
- (b) Ungqongqoshe angeze—
- (i) angenelela uma impikiswano noma ukungaphathi kahle okukhulunywa ngakho sekudluliselwe eNhlanganweni Yamaqembu Ezemidlalo ukuze iyixazulule, ngaphandle uma kungukuthi Inhlango Yamaqembu Ezemidlalo iyehluleka ukuyixazulula leyo mpikiswano ngesikhathi esikahle; futhi 10
- (ii) angenelela ezindabeni eziphathelene nokukhethwa kwamaqembu, ukuphathwa kwezemidlalo kanye nokuqasha, noma ukuphela komsebenzi wamalunga apethe omkhandlu wezemidlalo noma wokuzithokozisa. 15
- (c) Uma inhlango kazwelonke ihluleka ukubambelela esinqumeni somlamuli noma emyalelweni okhishwe nguNgqongqoshe njengoba kushiwo endimeni (a), uNgqongqoshe—
- (i) angakhipha umyalelo kweZemidlalo kanye Nezokuzithokozisa eNingizimu Afrika ukuthi kuyekwe ukuxhasa ngezimali leyo nhlango; 20
- (ii) angazisa inhlango kazwelonke ngokuyibhalela ukuthi angeke isamukelwa njengeyeZemidlalo kanye Nezokuzithokozisa eNingizimu Afrika; futhi
- (iii) angashicilela isinqumo sakhe njengoba kushiwo ezindinyaneni (i) no-(ii) ku*Gazethi*. 25
- (6) Ngaphambi kokuba akhiphe umyalelo ngaphansi kwesigatshana 5(a) uNgqongqoshe kufanele, ngesaziso esibhaliwe—
- (a) azise izingxenywe ezifanele ngamacala kanye nenhloso yakhe yokukhipha umyalelo; futhi 30
- (b) anikeze izingxenywe ithuba elikahle lokuphendula isaziso.
- (7) Inhlango Yamaqembu Ezemidlalo kufanele, ngokwesicelo sikaNgqogqoshe, ilethe izincomo zesixazululo senkinga eshiwo esigatshaneni (5)(a). 35
- (8) ngokoMthetho Wokukhuthaza Ubulungiswa Bokuphatha, 2000 (Umthetho No. 3 ka-2000), nangaphandle kokwehlisa isithunzi emalungelweni ezingxenywe ezithintekile, isinqumo esithathwe ngokwesigatshana (5) kufanele kube yisibopho ezingxenyeni.”.

Ukufakwa kwesigaba 13A, 13B no-13C kuMthetho 110 ka-1998

14. Izigaba ezilandelayo ziyafakwa lapha emva kwesigaba 13 soMthetho omkhulu: 40

“Iziqondiso noma izinqubomgomo zokukhuthaza ukulingana, ukumeleleka kanye nokulungisa isimo kwezemidlalo kanye nezokuzithokozisa

13A. Ungqongqoshe kufanele akhiphe iziqondiso noma izinqubomgomo zokukhuthaza ukulingana, ukumeleleka kanye nokulungisa isimo kwezemidlalo kanye nezokuzithokozisa. 45

Ukulethwa kwezibalo zobulunga yiyo yonke imikhandlu yezemidlalo kanye nezokuzithokozisa

13B. Wonke umkhandlu wezemidlalo kanye nezokuzithokozisa kufanele ngaphambi komhla ka-1 Ephreli njalo ngonyaka ulethe kweZemidlalo kanye Nezokuzithokozisa eNingizimu Afrika ngokubhala izibalo zobulungu njengoba kungashiwo. 50

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Reporting by sport or recreation bodies

13C. Every sport or recreation body must annually submit to Sport and Recreation South Africa and Parliament a—

- (a) written report relating to progress on the issues referred to in section 13A; and
- (b) copy of its Constitution and a written confirmation as to whether the Constitution conforms to the Constitution of the Republic.”

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Substitution of section 14 of Act 110 of 1998

15. The following section is hereby substituted for section 14 of the principal Act:

“Regulations

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14. The Minister may, after consultation with [**the Sports Commission,** the Sports Confederation in so far as high performance sport is concerned, make regulations—

- (a) as to any matter which by this Act is required or permitted to be prescribed;
- (b) as to the implementation of various programmes for sport and recreation;
- (c) as to the training of sport and recreation leaders;
- (d) relating to mass participation in sport and recreation;
- (e) providing for resources for sport and recreation;
- (f) providing for a sport support services;
- (g) providing for recreation support services;
- (h) as to the programmes to promote engagement in sport and recreation;
- (i) as to the funding of sport and recreation;
- (j) relating to the incentives for high performance sport achievers and recreation practitioners[, **and**];
- (jA) for kickboxing, boxing, karate, wrestling, taekwando, judo and any other form of combat sport;
- (jB) to minimize the chances of injury in any sport or recreational activity other than boxing, kickboxing, karate, wrestling, taekwando, judo and any other form of combat sport;
- (jC) as to hosting of and bidding for major international sports events;
- (jD) as to the awarding of national colours;
- (jE) as to the recognition of sport or recreation bodies;
- (jF) as to the control of foreign sports persons in South Africa;
- (jG) as to the fitness industry;
- (jH) as to dangerous sports and recreational activities;
- (jI) as to the procedure for negotiating a service level agreement and other matters to be dealt with in such an agreement; and
- (k) generally, as to any other matter in respect of which the Minister may deem it necessary or expedient to make regulations in order to achieve the objects of this Act.”

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Deletion of section 15 of Act 110 of 1998

16. Section 15 of the principal Act is hereby deleted.

Ukulethwa kwemibiko yimikhandlu yezemidlalo kanye nezokuzithokozisa

- 13C.** Wonke umkhandlu wezemidlalo kanye nezokuzithokozisa kufanele njalo ngonyaka ulethe kweZemidlalo kanye Nezokuzithokozisa eNingizimu Afrika kanye nasePhalamende— 5
- (a) Umbiko obhaliwe ophathelene nenqubekela phambili ngezindaba ezishiwo esigabeni 13A; kanye
- (b) nekhophi yoMthethosisekelo wayo kanye nesiqinisekiso sokuthi ingabe Umthethosisekelo uyahambelana yini noMthethosisekelo weRiphabhliki.”. 10

Ukufaka esikhundleni sesigaba 14 soMthetho 110 ka-1998

15. Isigaba esilandelayo sifakwa lapha esikhundleni sesigaba 14 soMthetho omkhulu:

“Izimiso zomthetho

- 14.** Ungqongqoshe, emva kokubonisana ne[**Khomishani Yezemidlalo,**] Inhlangano Yamaqembu Ezemidlalo maqondana nezemidlalo ngokusebenza ezingeni eliphezulu, angenza izimiso zomthetho— 15
- (a) nanganoma yiluphi udaba oludingeka kulo Mthetho noma oluvunyelwe ukushiwo;
- (b) ngokuqaliswa kwezinhlelo eziningi ezahlukene zezemidlalo kanye nezokuzithokozisa; 20
- (c) ngokuqeqesha abaholi bezemidlalo kanye nezokuzithokozisa;
- (d) maqondana nokuhlanganyela koquqaba kwezemidlalo kanye nokuzithokozisa;
- (e) Ukuhlinzekela izidingongqangi zezemidlalo kanye nokuzithokozisa;
- (f) ukuhlinzekela izinsizakalo zokweseka ezemidlalo; 25
- (g) ukuhlinzekela izinsizakalo zokweseka ezokuzithokozisa;
- (h) izinhlelo zokukhuthaza ukuhlanganyela kwezemidlalo kanye nakwezokuzithokozisa;
- (i) ukuxhasa ngezimali ezemidlalo kanye nezokuzithokozisa;
- (j) maqondana nokokukhuthaza abasebenzi abaphumelele kwezemidlalo nakwezokuzithokozisa ngokusebenza ngezinga eliphezulu [, kanye]; 30
- (jA) Nokwesibhakela sokukhahlela, isibhakela, ikarati, i-wrestling, i-taekwando, i-judo kanye nanoma iyiphi enye indlela yezemidlalo yokulwa;
- (jB) ukunciphisa amathuba okulimala kunanoma yimuphi umdlalo noma umsebenzi wokuzithokozisa ngaphandle kwesibhakela, isibhakela sokukhahlela, ikarati, i-wrestling, i-judo kanye nanoma iyiphi enye indlela yezemidlalo yokulwa; 35
- (jC) ukubamba kanye nokungenela imicimbi yezemidlalo emikhulu yamazwe omhlaba; 40
- (jD) ukunikeza imivuzo yemibala kazwelonke;
- (jE) ukuhlonishwa kwemikhandlu yezemidlalo kanye nokuzithokozisa;
- (jF) ukulawulwa kwabantu bamazwe angaphandle bezemidlalo eNingizimu Afrika;
- (jG) embonini yokuqinisa umzimba; 45
- (jH) emisebenzini yezemidlalo kanye nokuzithokozisa eyingozi;
- (jI) enqubeni yokuxoxa ngesivumelwano sezinga lomsebenzi kanye nezinye izindaba okufanele kubhekwane nazo kuleso sivumelwano; kanye
- (k) ngokujwayelekile, nakunoma yiluphi udaba maqondana nalokho uNgqongqoshe angakubona kudingekile noma kuwusizo ukwenza izimiso zomthetho ukuze kufezwe izinhloso zalo Mthetho.” 50

Ukucishwa kwesigaba 15 soMthetho 110 ka-1998

16. Isigaba 15 soMthetho omkhulu siyacishwa lapha.

Act No. 18, 2007 NATIONAL SPORT AND RECREATION AMENDMENT ACT, 2007

Substitution of the long title of Act 110 of 1998

17. The long title of the principal Act is hereby substituted by the following long title:

“ACT

To provide for the promotion and development of sport and recreation and the co-ordination of the relationships between [**the Sports Commission,** 5
Sport and Recreation South Africa and the Sports Confederation, national
[**and recreation**] federations and other agencies; to provide for measures
aimed at correcting imbalances in sport and recreation; [**to promote equity
and democracy in sport and recreation;**] to provide for dispute resolution 10
mechanisms in sport and recreation; to empower the Minister to make
regulations; and to provide for matters connected therewith.”

Short title

18. This Act is called the National Sport and Recreation Amendment Act, 2007.

Ukufaka esikhundleni sesihloko eside soMthetho 110 ka-1998

17. Isihloko eside soMthetho omkhulu lapha kufakwa esikhundleni saso isihloko eside esilandelayo:

“UMTHETHO

Ukuhlinzeka kokukhuthaza kanye nentuthuko yezemidlalo kanye nokuzithokozisa 5
kanye nokuhlanganisa ubudlelwano phakathi kwe[**Khomishani Yezemidlalo**],
Ezemidlalo kanye Nezokuzithokozisa eNingizimu Afrika kanye neNhlango
Yamaqembu Ezemidlalo, izinhlangano [**kanye nokuzithokozisa**] zikazwelonke
kanye namanye amagatsha; ukuhlinzeka ngezindlela okuhloswe ngazo ukulungisa 10
ukungalingani kwezemidlalo nokuzithokozisa; [**ukukhathaza ukulingana kanye**
nentando yeningi kwezemidlalo nokuzithokozisa;] ukuhlinzeka ngezindlela
zokuxazulula izimpikiswano kwezemidlalo nezokuzithokozisa; ukunikeza
uNgqongqoshe amandla okwenza izimiso zomthetho; kanye nokuhlinzeka
ngezindaba ezixhumene nakho.”.

Isihloko esifushane

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18. Lo Mthetho ubizwa ngokuthi Umthetho Wokuchibiyela Ezemidlalo kanye Nezokuzithokozisa Kazwelonke, 2007.