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**REPUBLIC OF SOUTH AFRICA**

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**PUBLIC SERVICE LAWS  
SECOND AMENDMENT ACT**

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**REPUBLIEK VAN SUID-AFRIKA**

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**TWEEDE WYSIGINGSWET OP  
STAATSDIENSWETGEWING**

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**No           , 1997**

**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.
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# ACT

**To amend the Public Service Commission Act, 1997, so as to effect certain textual improvements; and to amend the Public Service Laws Amendment Act, 1997, so as to effect certain textual improvements; and to provide for matters incidental thereto.**

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

**Amendment of section 16 of Act 46 of 1997**

1. Section 16 of the Public Service Commission Act, 1997, is hereby amended by the substitution in subsection (1) for the words preceding paragraph (a) of the following words: 5

“Any person who, immediately prior to the commencement of this Act, held office as the chairperson or any other member of the Public Service Commission or a provincial service commission referred to in section **[14(2)(a)]15(2)(a)**—”.

**Amendment of Schedule to Act 46 of 1997** 10

2. The Schedule to the Public Service Commission Act, 1997, is hereby amended by the substitution for the heading thereto of the following heading:

**“SCHEDULE**

**LAWS REPEALED (Section [14] 15)”.**

**Amendment of section 34 of Act 47 of 1997** 15

3. Section 34 of the Public Service Laws Amendment Act, 1997, is hereby amended—  
(a) by the substitution in subsection (2) for the words preceding paragraph (a) of the following words:

“If a provincial legislature has, in a law referred to in section **[14(1)] 15(1)** of the Public Service Commission Act, 1997, incorporated the principal Act by reference and amended or adapted it in order to entrust 20

- powers and duties to the relevant provincial service commission, then, notwithstanding the repeal of any such law by the said section [14(1)] 15(1)—”; and
- (b) by the substitution in paragraph (b) of the said subsection (2) for the words preceding subparagraph (i) of the following words: 5
- “any inquiry into inefficiency and any proceedings in respect of a charge of misconduct or a complaint or grievance instituted or commenced under the principal Act, as incorporated and amended or adapted by the provincial legislature, shall be continued and disposed of as if any such law had not been repealed by the said section [14(1)] 15(1), and for that purpose, a reference—”. 10

**Substitution of section 36 of Act 47 of 1997**

4. The following section is hereby substituted for section 36 of the Public Service Laws Amendment Act, 1997:

**“Short title and commencement” 15**

36. This Act shall be called the Public Service Laws Amendment Act, 1997, and shall come into operation on the date on which the laws referred to in section [14(1)] 15(1) of the Public Service Commission Act, 1997, are repealed by the said section [14(1)] 15(1).”.

**Short title 20**

5. This Act shall be called the Public Service Laws Second Amendment Act, 1997.