



REPUBLIC OF SOUTH AFRICA

GOVERNMENT GAZETTE

STAATSKOERANT

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OFFICE OF THE PRESIDENT

No. 1577.

4 December 1998

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

No. 110 of 1998: National Sport and Recreation Act, 1998.

KANTOOR VAN DIE PRESIDENT

No. 1577.

4 Desember 1998

Hierby word bekend gemaak dat die President sy goedkeuring geheg het aan die onderstaande Wet wat hierby ter algemene inligting gepubliseer word:—

No. 110 van 1998: Wet op Nasionale Sport en Rekreasie, 1998.

(English text signed by the President.)
(Assented to 24 November 1998.)

ACT

To provide for the promotion and development of sport and recreation and the co-ordination of the relationships between the Sports Commission, 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 mechanisms in sport and recreation; to empower the Minister to make regulations; and to provide for matters connected therewith.

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

Definitions

1. In this Act, unless the context otherwise indicates—
 - “**General Assembly**” means a duly constituted assembly of representatives of National Federations, Multi-coded Sports Organisations, and such other parties contemplated in this Act, convened by the Chairperson of the Commission or a person designated by him or her, in terms of this Act; 5
 - “**Minister**” means the Minister responsible for Sport and Recreation;
 - “**NAPCOSA**” means the National Paralympic Committee of South Africa; 10
 - “**National Coaching and Accreditation Institute**” means the institute referred to in section 7(1)(f);
 - “**national federation**” means a national governing body of a code of sport in the Republic recognized by the relevant international controlling body as the only authority for the administration and control of the relative code of sport in the Republic; 15
 - “**NOCSA**” means the National Olympic Committee of South Africa;
 - “**prescribe**” means prescribe by regulation;
 - “**provincial department of sport and recreation**” means a provincial department responsible for sport and recreation; 20
 - “**Recreation Movement**” means a movement consisting of the Sports Commission, SANREC and all recreation federations;
 - “**recreation service**” means a recreation service whose primary business is to present recreation services;
 - “**regulation**” means a regulation made in terms of section 14; 25
 - “**SANREC**” means the South African National Recreation Council at national and provincial level;
 - “**SISA**” means the Sports Information and Science Agency;
 - “**sports or recreation body**” means any national federation, agency or body involved in the administration of sport or recreation at national level; 30
 - “**Sports Commission**” means the South African Sports Commission;
 - “**Sports Movement**” means a movement consisting of the Sports Commission, NOCSA and all national federations;
 - “**this Act**” includes any regulation;
 - “**WASSA**” means Women and Sport South Africa. 35

*(Engelse teks deur die President geteken.)
(Goedgekeur op 24 November 1998.)*

WET

Om voorsiening te maak vir die bevordering en ontwikkeling van sport en rekreasie en die koördinerende van die betrekkinge tussen die Sportkommissie, nasionale en rekreasiefederasies en ander agentskappe; om voorsiening te maak vir maatreëls gemik op die regstelling van wanbalanse in sport en rekreasie; om regverdigheid en demokrasie in sport en rekreasie te bevorder; om voorsiening te maak vir geskilbeslegtingsmeganismes in sport en rekreasie; om die Minister te magtig om regulasies uit te vaardig; en om voorsiening te maak vir aangeleenthede wat daarmee in verband staan.

DAAR WORD BEPAAL deur die Parlement van die Republiek van Suid-Afrika, soos volg:—

Woordomskrywing

1. In hierdie Wet, tensy uit die samehang anders blyk, beteken—
 - 5 “**Algemene Vergadering**” ’n behoorlik saamgestelde vergadering van verteenwoordigers van Nasionale Federasies, Multi-kode Sportorganisasies en die ander partye in hierdie Wet beoog, byeengeroep deur die Voorsitter van die Kommissie of ’n persoon deur hom of haar ingevolge hierdie Wet aangewys;
 - “**hierdie Wet**” ook enige regulasie;
 - 10 “**Minister**” die Minister verantwoordelik vir Sport en Rekreasie;
 - “**Nasionale Afrigting- en Akkreditasie-instituut**” die instituut in artikel 7(1)(f) bedoel;
 - “**nasionale federasie**” ’n nasionale bestuursliggaam van ’n sportkode in die Republiek wat deur die betrokke internasionale beheerliggaam erken word as die enigste gesag vir die administrasie en beheer van die betrokke sportkode in die Republiek;
 - 15 “**NAPCOSA**” die National Paralympic Committee of South Africa;
 - “**NOCSA**” die “National Olympic Committee of South Africa”;
 - “**provinsiale departement van sport en rekreasie**” ’n provinsiale departement wat verantwoordelik is vir sport en rekreasie;
 - 20 “**regulasie**” ’n regulasie ingevolge artikel 14 uitgevaardig;
 - “**Rekreasiebeweging**” ’n beweging bestaande uit die Sportkommissie, SANREK en alle rekreasiefederasies;
 - 25 “**rekreasiediens**” ’n rekreasiediens wie se primêre taak die aanbieding van rekreasiedienste is;
 - “**SANREK**” die Suid-Afrikaanse Nasionale Rekreasieraad, op nasionale en provinsiale vlak;
 - “**SISA**” die “Sports Information and Science Agency”;
 - “**sport- of rekreasieliggaam**” ’n nasionale federasie, agentskap of liggaam wat betrokke is in die administrasie van sport of rekreasie op nasionale vlak;
 - 30 “**Sportkommissie**” die Suid-Afrikaanse Sportkommissie;
 - “**Sportbeweging**” ’n beweging bestaande uit die Sportkommissie, NOCSA en alle nasionale federasies;
 - “**voorskryf**” by regulasie voorskryf;
 - 35 “**WASSA**” “Women and Sport South Africa”.

Promotion and development of sport and recreation in Republic

2. (1) The Sports Commission will be the overall co-ordinating body for the promotion and development of sport and recreation in the Republic, save NOCSA.

(2) The Sports Commission may, from time to time, develop guidelines for the promotion and development of sport and recreation. 5

(3) (a) Every government ministry, department, province or local authority may carry out sporting or recreational activities or activities relating to physical education, sport and recreation, including training programmes and development of leadership qualities.

(b) The Sports Commission may, in writing, require a government ministry, department, province or local authority to consult with it in relation to the activities referred to in subparagraph (a). 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.

Intergovernmental liaison and co-operation with other countries

3. The Sports Commission is charged with the responsibility of liaison at 15 intergovernmental level with regard to all matters relating to sport and recreation.

Determination of sport and recreation policy

4. (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, from time to time, determine the general policy to be pursued with regard to sport and 20 recreation.

(2) The policy determined by the Minister may, among others, relate to the following:

(a) Confirming the roles and responsibilities amongst the various role-players in sport and recreation to ensure that all efforts are co-ordinated in an efficient manner; 25

(b) providing funds annually for the creation and upgrading of basic multi-purpose sport and recreation facilities subject to the provisions of section 10 and according to priorities as determined, from time to time, by the Sports Commission in consultation with provincial, local government and relevant sport and recreation bodies; 30

(c) maintaining the focus on the administration of sport and recreation, as well as the development of a volunteer corps, to assist in the implementation of the various mass participation programmes;

(d) enhancing health consciousness by means of themed programmes aimed at specific interest groups in the society; 35

(e) identifying latent talent for sport;

(f) investing in the preparation of sport participants who are elected to represent the Republic in major competitions;

(g) helping in cementing the sports unification process; and

(h) instituting necessary affirmative action controls which will ensure that 40 national teams reflect all parties involved in the process.

(3) The policy as determined by the Minister binds all sports and recreation bodies.

Membership of Sports Commission

5. (1) Membership of the Sports Commission will be open to all those sport and recreation bodies who qualify in terms of the recognition criteria determined by the 45 Sports Commission.

(2) No membership shall be granted to a sports and recreation federation which permits or tolerates a system or practice of discrimination based on gender, race, disability, religion or creed.

National and recreation federations

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6. (1) The national and recreation federations must assume full responsibility for the safety issues within their sport and recreation disciplines.

(2) The national and recreation federations must actively participate in and support programmes and services of the Sports Commission.

Bevordering en ontwikkeling van sport en rekreasie in Republiek

2. (1) Die Sportkommissie is die oorhoofse koördinerende liggaam vir die bevordering en ontwikkeling van sport en rekreasie in die Republiek, behalwe NOCSA.

(2) Die Sportkommissie kan van tyd tot tyd riglyne vir die bevordering en ontwikkeling van sport en rekreasie ontwikkel.

(3) (a) Elke regeringsministerie, -departement, provinsie of plaaslike owerheid kan sport- of rekreasie-aktiwiteite, of aktiwiteite met betrekking tot liggaamlike opvoeding, sport en rekreasie, met inbegrip van die ontwikkeling van opleidingsprogramme en leierskap-eienskappe, verrig.

10 (b) Die Sportkommissie kan skriftelik 'n regeringsministerie, -departement, provinsie of plaaslike owerheid aansê om met hom oorleg te pleeg met betrekking tot die aktiwiteite in subparagraaf (a) bedoel.

(4) Alle sport- en rekreasieliggame moet met die Sportkommissie oor enige aangeleentheid wat by regulasie voorgeskrif is, oorleg pleeg en koördineer.

15 Interstaatlike skakeling en samewerking met ander lande

3. Die Sportkommissie is belas met die verantwoordelikheid om op interstaatlike vlak te skakel met betrekking tot alle aangeleenthede betreffende sport en rekreasie.

Bepaling van sport- en rekreasiebeleid

4. (1) Die Minister kan na raadpleging met, of na oorweging van voorstelle gedoen deur, die Sportkommissie en NOCSA, ten opsigte van die Olimpiese Spele, van tyd tot tyd die algemene beleid wat met betrekking tot sport en rekreasie gevolg moet word, bepaal.

(2) Die beleid deur die Minister bepaal, kan, onder meer, betrekking hê op die volgende:

- 25 (a) Die bevestiging van die rolle en verantwoordelikhede onder die verskillende rolspelers in sport en rekreasie ten einde te verseker dat alle pogings op doeltreffende wyse gekoördineer word;
- (b) die voorsiening van fondse jaarliks vir die skepping en verbetering van basiese veeldoelige sport- en rekreasiegeriewe onderworpe aan die bepalinge van artikel 10 en volgens prioriteite wat van tyd tot tyd deur die Sportkommissie in oorleg met provinsiale en plaaslike owerheid- en relevante sport en rekreasieliggame bepaal word;
- 30 (c) die volgehoue vestiging van die fokus op die administrasie van sport en rekreasie, asook die ontwikkeling van 'n vrywilligerkorps, ten einde bystand te verleen by die implementering van die verskillende massadeelnemingsprogramme;
- 35 (d) die verhoging van gesondheidsbewustheid deur middel van temaprogramme gerig op spesifieke belangegroepes in die gemeenskap;
- (e) die identifisering van latente aanleg vir sport;
- 40 (f) hulpverlening in die voorbereiding van deelnemers aan sport wat gekies word om die Republiek in belangrike kompetisies te verteenwoordig;
- (g) hulpverlening by die vaslegging van die proses van sportteenwording; en
- (h) die instelling van die vereiste kontroles vir regstellende aksie wat sal verseker dat nasionale spanne alle partye wat in die proses betrokke is, weerspieël.
- 45 (3) Die beleid soos deur die Minister bepaal, bind alle sport- en rekreasieliggame.

Lidmaatskap van Sportkommissie

5. (1) Lidmaatskap van die Sportkommissie is oop vir al daardie sport- en rekreasieliggame wat ingevolge die erkenningskriteria deur die Sportkommissie bepaal, kwalifiseer.

50 (2) Geen lidmaatskap word verleen aan 'n sport- en rekreasieliggaam wat 'n stelsel of praktyk van diskriminasie gebaseer op geslag, ras, ongeskiktheid, godsdiens of geloof toelaat of duld nie.

Training of sport and recreation leaders

7. (1) The Sports Commission will, in order to address the shortage of trained leaders, administrators and officials at national level—

- (a) arrange or present regular train-a-trainer seminars for sport leaders;
- (b) ensure that the train-a-trainer seminars are standardised with accredited qualifications being awarded by the Sports Commission after the training modules have been completed; 5
- (c) maintain a data-base of trained sport leaders and participants;
- (d) organise follow-up seminars with sport leaders and participants within agreed time-frames; 10
- (e) establish a reward system for the successful completion of train-a-trainer seminars; and
- (f) establish a National Coaching and Accreditation Institute that will ensure that standards are maintained and that will distribute to prospective employers, a job placement list in respect of successful trainers. 15

(2) The Sports Commission will, in order to address the shortage of trained leaders at national level—

- (a) arrange or present regular train-a-trainer seminars for recreation leaders;
- (b) ensure that the train-a-trainer seminars are standardised with accredited qualifications being awarded by the Sports Commission after the training modules have been completed; 20
- (c) maintain a data-base of trained recreation leaders and participants;
- (d) organise follow-up seminars with recreation leaders and participants within agreed time-frames;
- (e) establish a reward system for the successful completion of train-a-trainer seminars; and 25
- (f) establish a National Coaching and Accreditation Institute that will ensure that standards are maintained and that will distribute to prospective employers a job placement list in respect of successful trainers.

Resources for sport and recreation

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8. (1) The Sports Commission will, in accordance with its funding policy and the provisions of section 10, provide physical facilities for sport and recreation at national level, depending on the availability of funds.

(2) The beneficiary of the provision of such facilities must ensure the maintenance of every facility erected, by way of—

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- (a) maintenance agreements; and
- (b) the establishment of management structures to run such facilities in commercially viable ways.

(3) The Sports Commission will, when planning such facilities, ensure that special consideration is given to the accessibility of such facilities to sports people and spectators with disabilities. 40

Programmes to promote equity in sport and recreation

9. (1) The Sports Commission must organise programmes aimed at mobilising the nation to play.

(2) The Sports Commission must—

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- (a) from time to time, present national mass sport and recreation participation programmes;
- (b) encourage the provincial sport and recreation departments and local authorities to form partnerships with other related organisations that have an interest in sport and recreation and mass participation, in order to— 50

Nasionale en rekreasiefederasies

6. (1) Die nasionale en rekreasiefederasies moet volle verantwoordelikheid aanvaar vir die veiligheidsaangeleenthede binne hul sport- en rekreasiedisiplines.

(2) Die nasionale en rekreasiefederasies moet daadwerklik deelneem aan en steun verleen aan die programme en dienste van die Sportkommissie.

Opleiding van sport- en rekreasieleiers

7. (1) Die Sportkommissie, moet ten einde die tekort aan opgeleide leiers, administrateurs en beamptes op nasionale vlak te verlig—

- (a) gereelde opleidingsseminare vir sportleiers reël of aanbied;
- 10 (b) verseker dat sodanige seminare gestandaardiseer is en dat geakkrediteerde kwalifikasies deur die Sportkommissie toegeken word nadat die opleidings-modules voltooi is;
- (c) 'n databasis van opgeleide sportleiers en -deelnemers in stand hou;
- (d) opvolg-seminare met sportleiers en -deelnemers binne ooreengekome tyd-
15 raamwerke reël;
- (e) 'n beloningstelsel instel vir die suksesvolle voltooiing van opleidingsseminare vir sportleiers; en
- (f) 'n Nasionale Afrigting- en Akkreditasie-instituut instel wat moet verseker dat
20 standarde gehandhaaf word en aan voornemende werkgewers 'n werk-
plasingslys ten opsigte van suksesvolle afrigters moet versprei.

(2) Die Sportkommissie moet ten einde die tekort aan opgeleide leiers op nasionale vlak te verlig—

- (a) gereelde opleidingsseminare vir rekreasieleiers reël of aanbied;
- 25 (b) verseker dat sodanige seminare gestandaardiseer is en dat geakkrediteerde kwalifikasies deur die Sportkommissie toegeken word nadat die opleidings-modules voltooi is;
- (c) 'n databasis van opgeleide rekreasieleiers en -deelnemers in stand hou;
- (d) opvolg-seminare met rekreasieleiers en -deelnemers binne ooreengekome
tydraamwerke reël;
- 30 (e) 'n beloningstelsel instel vir die suksesvolle voltooiing van opleidingsseminare vir rekreasieleiers;
- (f) 'n Nasionale Afrigting- en Akkreditasie-Instituut instel wat moet verseker dat
standarde gehandhaaf word en aan voornemende werkgewers 'n werk-
plasingslys ten opsigte van suksesvolle afrigters moet versprei.

35 Hulpbronne vir sport en rekreasie

8. (1) Die Sportkommissie moet in ooreenstemming met sy befondsingsbeleid en die bepalings van artikel 10, fisiese geriewe vir sport en rekreasie op nasionale vlak voorsien, na gelang van die beskikbaarheid van fondse.

(2) Die bevoordeelde van die voorsiening van sodanige geriewe moet die onderhoud
40 verseker van elke gerief wat opgerig is, by wyse van—

- (a) instandhoudingsooreenkomste; en
- (b) die instelling van bestuurstrukture om sodanige strukture op kommersieel lewensvatbare wyse te bedryf.

(3) Die Sportkommissie moet wanneer hy sodanige geriewe beplan verseker dat
45 spesiale oorweging verleen word aan die toeganklikheid van sodanige geriewe vir sportlui en toeskouers met ongeskikthede.

Programme om regverdigheid in sport en rekreasie te bevorder

9. (1) Die Sportkommissie moet programme organiseer wat gerig is op die mobilisering van die nasie om te speel.

50 (2) Die Sportkommissie moet—

- (a) van tyd tot tyd nasionale massadeelnemingsprogramme in sport en rekreasie aanbied;
- (b) die provinsiale departemente van sport en rekreasie en plaaslike owerhede
aanmoedig om vennootskappe te vorm met ander verwante organisasies wat
55 'n belang het by sport en rekreasie en massadeelneming, ten einde—

- (i) enlist financial assistance towards the expansion of mass participation in sport and recreation programmes and services; and
 - (ii) exchange ideas;
 - (c) encourage the provincial sport and recreation departments to employ the programmes of the Sports Commission; 5
 - (d) spearhead the following:
 - (i) The development, suitability and prioritising of sport and recreation programmes and services; and
 - (ii) reporting on the infrastructure needed to implement those programmes and services; 10
 - (e) ensure that—
 - (i) women;
 - (ii) the youth attending school and those who are no longer attending school;
 - (iii) the disabled;
 - (iv) senior citizens; and 15
 - (v) neglected rural areas,
 receive priority regarding programmes for development and the delivery of sport and recreation;
 - (f) seek the assistance of international organisations in sport and recreation to enhance the programmes and to exchange experiences and ideas, 20
- to ensure that the people of the Republic are well informed of the benefits of participation in sport and recreation and a healthy lifestyle.

Funding of sport and recreation

- 10.** (1) The Sports Commission must, in accordance with its funding policy—
- (a) implement a results-based funding policy where the level of funding is determined according to an accountable set of criteria; 25
 - (b) encourage creativity and self-reliance on the part of the national federations regarding funding;
 - (c) direct provincial federations to the offices of the members of the Executive Council for Sport and Recreation in the provinces and the local authorities in the various cities for provincial and local funding; 30
 - (d) increase the profile and increase financial assistance to volunteers, women, senior citizens, neglected rural areas and the disabled, in sport and recreation; and
 - (e) demand acceptable standards of administration from recipients of Government funding. 35
- (2) The Sports Commission must, in allocating funds to the national and recreation federations, determine the proportion of funding that must be used towards development.
- (3) No funding will be provided to national or recreation federations where no development programmes exist or where federations exclude persons from the disadvantaged groups, particularly women and people with disabilities, from participating at top level of sport. 40

National colours and incentives for sports achievers and recreation practitioners

- 11.** (1) The Sports Commission must establish a national colours board which will consider all applications for the awarding of national colours. 45
- (2) The national colours must be awarded in accordance with the applicable regulations.
- (3) The Sports Commission may, from time to time, provide incentives for sports achievers and recreation practitioners. 50

Environment and sport and recreation

- 12.** (1) All sport and recreation activities must be conducted in such a way that the environment is not adversely affected.
- (2) The governing body of any sport or recreation body must lay down guidelines which are aimed at the protection of the environment. 55

- (i) finansiële bystand te bekom vir die uitbreiding van massadeelneming in sport- en rekreasieprogramme en -dienste; en
- (ii) idees uit te ruil;
- (c) die provinsiale departemente van sport en rekreasie aanmoedig om die programme van die Sportkommissie te gebruik;
- (d) die volgende aanvoer:
 - (i) Die ontwikkeling, geskiktheid en prioritisering van sport- en rekreasieprogramme en -dienste; en
 - (ii) verslagdoening oor die infrastruktuur wat nodig is om daardie programme en dienste te implementeer;
- (e) verseker dat—
 - (i) vroue;
 - (ii) die jeug wat skool bywoon en die wat nie meer skool bywoon nie;
 - (iii) ongeskiktes;
 - (iv) senior burgers; en
 - (v) verwaarloosde landelike gebiede, voorkeur ontvang met betrekking tot programme vir die ontwikkeling en beskikbaarstelling van sport en rekreasie;
- (f) die bystand probeer verkry van internasionale organisasies in sport en rekreasie ten einde die programme te verbeter en ondervindings en idees uit te ruil, ten einde te verseker dat die mense van die Republiek goed ingelig is oor die voordele van deelneming aan sport en ontspanning en 'n gesonde lewenswyse.

Befondsing van sport en rekreasie

- 10. (1) Die Sportkommissie moet, in ooreenstemming met sy befondsingbeleid—
 - (a) 'n befondsingsbeleid wat op resultate gebaseer is waar die vlak van befondsing ooreenkomstig 'n verantwoordbare stel kriteria bepaal word, implementeer;
 - (b) kreatiwiteit en selfversorgendheid aan die kant van die nasionale federasies betreffende befondsing aanmoedig;
 - (c) provinsiale federasies verwys na die kantore van die lede van die Uitvoerende Raad vir Sport en Rekreasie in die provinsies en die plaaslike owerhede in die verskillende stede ten einde provinsiale en plaaslike befondsing te bekom;
 - (d) die profiel van en bystand aan vrywilligers, vroue, senior burgers, verwaarloosde landelike gebiede, en ongeskiktes in sport en rekreasie verhoog en vermeerder; en
 - (e) aanvaarbare standaarde van administrasie vereis van ontvangers van Regeeringsfondse.
- (2) Die Sportkommissie moet by die toewysing van fondse aan die nasionale en rekreasiefederasies die gedeelte van daardie fondse wat vir ontwikkeling gebruik moet word, bepaal.
- (3) Geen fondse word aan nasionale of rekreasiefederasies voorsien waar geen ontwikkelingsprogramme bestaan nie of waar federasies persone uit die benadeelde groepe, veral vroue en persone met gestremdhede, uitsluit van deelneming op die hoogste sportvlak.

Nasionale kleure en aansporings vir sportpresteerders en rekreasie-beoefenaars

- 11. (1) Die Sportkommissie moet 'n raad vir nasionale kleure instel wat alle aansoeke om die toekenning van nasionale kleure moet oorweeg.
- (2) Die nasionale kleure word in ooreenstemming met die toepaslike regulasies toegeken.
- (3) Die Sportkommissie kan, van tyd tot tyd voorsiening maak vir aansporings vir sportpresteerders en rekreasie-beoefenaars.

Omgewing en sport en rekreasie

- 12. (1) Alle sport- en rekreasieaktiwiteite moet op so 'n wyse verrig word dat die omgewing nie nadelig geraak word nie.
- (2) Die beheerliggaam van enige sport- of rekreasieliggaam moet riglyne bepaal wat op die beskerming van die omgewing gerig is.

Dispute resolution

13. (1) Every sport and recreation body will, 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.

(2) 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. 5

(3) The Sports Commission must give a decision, in relation to any dispute referred to in subsection (1) or (2), that best serves the interests of the sports or recreation body in question. 10

(4) The Sports Commission may, at any time, of its own accord, cause an investigation to be undertaken to ascertain the truth within a sport or recreation body, where allegations of—

- (a) any malpractice of any kind, including corruption, in the administration;
- (b) any serious or disruptive divisions between factions of the membership of the sports or recreation body; or 15
- (c) continuation or maintenance of any institutionalised system or practice of discrimination based on gender, race, religion or creed, or violation of the rights and freedoms of individuals or any law,

have been made, and may ask the Minister to approach the President of the Republic to appoint a commission of inquiry referred to in section 84 (2) of the Constitution. 20

Regulations

14. The Minister may, after consultation with the Sports Commission, 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 sport support services; 30
- (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 sport achievers and recreation practitioners; and
- (k) generally, as to any other matter in respect of which the Minister may deem it necessary to make regulations in order to achieve the objects of this Act. 35

Delegation of duties, powers and functions by Minister and Chief Executive Officer

15. (1) The Minister may delegate, either generally or in any particular case, any duty, power or function imposed or conferred upon or assigned to him or her by this Act, to the Chairperson of the Sports Commission or any other officer in the Sports Commission on such conditions as the Minister may determine. 40

(2) The Chief Executive Officer may delegate, either generally or in any particular case, any duty, power or function imposed or conferred upon or assigned to him or her by this Act to any other officer in the Sports Commission on such conditions as he or she may determine. 45

(3) Any delegation in terms of this section may at any time be varied or withdrawn.

Short title

16. This Act is called the National Sport and Recreation Act, 1998, and comes into operation on a date fixed by the President by proclamation in the *Gazette*.

Geskilbeslegting

13. (1) Elke sport- en rekreasieliggaam moet in ooreenstemming met sy interne prosedure en remedies waarvoor in sy konstitusie voorsiening gemaak is enige geskil besleg wat tussen sy lede of met sy beheerliggaam ontstaan.

5 (2) Waar die geskil nie ingevolge subartikel (1) besleg kan word nie, kan enige lid van die betrokke sport- of rekreasieliggaam wat veronreg voel, of die sport- of rekreasieliggaam self, die geskil aan die Sportkommissie voorlê.

(3) Die Sportkommissie moet 'n beslissing gee met betrekking tot enige geskil in subartikel (1) of (2) bedoel, wat die belange van die betrokke sport- of rekreasieliggaam die beste sal dien.

10 (4) Die Sportkommissie kan te eniger tyd uit eie beweging 'n ondersoek laat instel ten einde die ware toedrag van sake in 'n sport- of rekreasieliggaam vas te stel waar bewerings van—

15 (a) enige wanpraktyk van enige aard, met inbegrip van korrupsie, in die administrasie;

(b) enige ernstige of ontwrigtende verdeeldheid tussen faksies van die lede van die sport- of rekreasieliggaam; of

20 (c) die voortsetting of handhawing van enige geïnstitusioneelgestelde stelsel of praktyk van diskriminasie gebaseer op geslag, ras, godsdiens of geloof of skending van die regte en vryhede van individue of enige wet,

gemaak is, en kan die Minister versoek om die President van die Republiek te nader om 'n kommissie van ondersoek, soos beoog in artikel 84(2) van die Grondwet, aan te stel.

Regulasies

14. (1) Die Minister kan na raadpleging met die Sportkommissie regulasies 25 uitvaardig—

(a) betreffende enige aangeleentheid wat ingevolge hierdie Wet voorgeskryf moet of kan word;

(b) betreffende die implementering van verskeie programme vir sport en rekreasie;

30 (c) betreffende die opleiding van sport- en rekreasieleiers;

(d) betreffende massadeelneming in sport en rekreasie;

(e) wat voorsiening maak vir hulpbronne vir sport en rekreasie;

(f) wat voorsiening maak vir ondersteuningsdienste vir sport;

(g) wat voorsiening maak vir ondersteuningsdienste vir rekreasie;

35 (h) betreffende die programme om betrokkenheid in sport en rekreasie te bevorder;

(i) betreffende die befondsing van sport en rekreasie;

(j) betreffende die aansporings vir sportpresteerders en rekreasiebeoefenaars; en

40 (k) oor die algemeen, betreffende enige ander aangeleentheid ten opsigte waarvan die Minister dit nodig ag om regulasies uit te vaardig ten einde die oogmerke van hierdie Wet te bereik.

Delegering van pligte, bevoegdhede en werksaamhede deur Minister en Hoof-Uitvoerende Beampte

15. (1) Die Minister kan óf oor die algemeen óf in 'n besondere geval enige plig, 45 bevoegdheid of werksaamheid deur hierdie Wet aan hom of haar opgelê, verleen of opgedra, deleger aan die Voorsitter van die Sportkommissie of enige ander beampte in die Sportkommissie op die voorwaardes wat die Minister bepaal.

(2) Die Hoof- Uitvoerende Beampte kan óf oor die algemeen óf in 'n besondere geval enige plig, bevoegdheid of werksaamheid deur hierdie Wet aan hom of haar 50 opgelê, verleen of opgedra, deleger aan enige ander beampte in die Sportkommissie op die voorwaardes wat hy of sy bepaal.

(3) Enige delegering ingevolge hierdie artikel kan te eniger tyd gewysig of ingetrek word.

Kort titel

55 16. Hierdie Wet heet die Wet op Nasionale Sport- en Rekreasie, 1998, en tree in werking op 'n datum wat die President by proklamasie in die *Staatskoerant* bepaal.

