



PARLIAMENT
OF THE REPUBLIC OF SOUTH AFRICA

Legislative timeframes

Committee of Chairpersons
meeting

Wednesday, 19 August 2026

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A detailed close-up photograph of a mechanical watch movement. The image shows various components including brass gears of different sizes, metal plates with screws, and several red jewels (likely rubies) used as bearings. The lighting highlights the metallic textures and the precision of the craftsmanship.

CLSO support

LEGAL ADVICE (Oral and Written)

- Contracts vetting, drafting and amendments
- Advise on Institutional Policies (including advising on existing policies)
- Petitions
- Advise on the classification of Bills
- Rules and Amendments
- Legal Compliance and Constitutionality – including legal questions arising from oversight exercises
- International Agreements
- Bills and Amendments

CLSO's mandate does not include:

- Administrative support to Committees or Chairpersons
- Assisting members with individual or political party related legal questions



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Role of CLSO iro Executive and Member Bills

- Bills Unit processes Bills--
 - before introduction;
 - during introduction; and
 - as the Bills progress through both Houses.
- Bills Unit also assists with the processing of—
 - second languages of Bills;
 - assent (liaising with the Presidency); and
 - recording of Bills (liaising with the Constitutional Court)
- The Advisory and Legislative Drafting units—
 - advise on:
 - classification of Bills (Advise to Joint Tagging Mechanism)
 - legal questions arising out of the briefing on the Bill, submissions from the public, deliberations on the Bills
 - supports Committees when processing Bills with drafting assistance (in co-operation with State Law Adviser)



Role of CLSO iro Committee Bills

- The Legislative Drafting Unit conducts a [review of statutes](#) – Advise on possible Committee Bills to [empower Committees](#)
- The Advisory and Legislative Drafting units assists Committees with:
 - [Development of a draft Bill](#)
 - The policy that informs the Bill must be developed by the Committee: Sources to develop a policy: Department; Constitutional Court read in; Content Adviser / Researcher develop a policy in accordance with Committee discussions.
 - [Advice on legal questions](#) arising out of the development of the policy informing the Bill, submissions from the public, deliberations on the Bill
 - [Advice on required consultations](#) with the National House of Traditional and Khoi-San Leaders in terms of section 39(1)(a) of the Traditional and Khoi-San Leadership Act, 2019 (Act No. 3 of 2019)
 - CLSO advises the Joint Tagging Mechanism on this referral;
 - Refer Bills: which directly affects traditional or Khoi-San communities or pertaining to customary law or customs of traditional or Khoi-San communities or pertaining to any matter referred to in section 154(2) of the Constitution (status, institutions, powers, functions of local government);
 - 60 days to comment (Traditional Leadership and Governance Framework Act, 2003 (Act No. 41 of 2003) allowed 30 days).
 - [Advice on pre introduction consultations](#) once a final draft has been approved
 - Required by law (e.g. Constitution; PFMA)
 - [Certification](#)
 - Must confirm that the draft Bill is:
 - consistent with the Constitution and existing legislation; and
 - properly drafted in the form and style which conforms to legislative drafting practice



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WHO IS CLSO?

The Constitutional and Legal Services Office (CLSO) provide legal advisory, legislative drafting, litigation and bills processing support to Parliament. The CLSO is made up of qualified legal practitioners, editors and linguists. Our mission is to deliver timely, accurate and professional legal and legislative services that—

- enables Parliament to carry out its constitutional responsibilities, including the passage of legislation and the oversight of executive action; and
- strengthens operational effectiveness.

CONTACT DETAILS

8TH Floor
90 Plein Street, CapeTown

Queries:

- Related to Bills: billsoffice@parliament.gov.za
- Related to litigation: litigation@parliament.gov.za
- General: tmorie@parliament.gov.za (Executive Secretary)

New Instructions:

- Request for legal advice: legalopinions@parliament.gov.za
- Requests for legislative drafting assistance: legislativedrafting@parliament.gov.za

To avoid information overload, please do not copy any officials into your email. The above addresses are monitored.



This picture is an embedded object
Open the document and double click on
the picture to open a brochure with
more information on CLSO

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A detailed close-up photograph of a mechanical watch movement. The image shows various metal components, including large gears with teeth, smaller gears, and plates held together by screws. Some screws have red-tinted heads. The lighting is dramatic, highlighting the metallic textures and the intricate design of the watch mechanism.

Legislative Timeframes (and public participation guidance)

Time limits set by Standing Rules

Exercise to consider average times (review of Joint Rules – 2023 / 2024):

- Priority Bills (Budget) and section 79(1) referrals were excluded to avoid skewed timelines
- 5th Parliament: average of 16 months from introduction to the date passed by the last House

S74: None

S75: Average 14 months;

S76: Average 22 months

- 6th Parliament: average of 24 months from introduction to the date passed by the last House

S74: 16 months (1 bill – NA only)

S75: Average 20 months

S76: Average 34 months

Joint Rule 245: Adherence to time limits

(1) Subject to joint rule 246, a time limit set for the completion of any step in the legislative process is compulsory and must be complied with by the person, structure, committee, forum or House to which it applies.

(2) The following time limits are set for the completion of Bills by both Houses:

(a) A constitutional amendment Bill that may be passed by the Assembly alone and a section 75 Bill, must be processed by both Houses within 24 months of its date of introduction; and

(b) a constitutional amendment that is required to be passed by the Council as well, and a section 76 Bill, must be processed by both Houses within 30 months of its date of introduction.

- Joint Rule 246 provides for an extension of the above period.



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Statistics

Notes:

- Limited the statistics to the major classifications (S75 and S76)
- The table below sets out the number of **months** to complete a S75 and S76 bill:

Parliament	3 rd : 2004–2009	4 th : 2009–2014	5 th : 2014 - 2019	6 th : 2019 – 2024
76	6	7	22	34
75	5	7	14	20



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Drivers of extended timelines between the 3rd–4th and 5th–6th terms

- **Requirements for meaningful public participation:** Processing times have escalated due to higher legal and civic standards, complex public participation processes, expanded socio-economic scrutiny and extensive public hearings
- **High Interest Bills:** Where public interest is high, Committees often extended submission deadlines, conducted nationwide provincial hearings, and provided additional windows of opportunities for civic and stakeholder participation.
- **Parliamentary programmes and scheduling constraints:** Scheduling conflicts between legislative duties and oversight responsibilities.
- **Capacity Constraints:** Manual processing of large volume of submissions (e.g. NHI) and heavy workload for staff preparing detailed matrices, briefing documents, reports, and amended versions of the Bills while supporting other parliamentary business.
- **Changing Political Dynamics:** Dynamics requiring broader multi-party consensus and impact of elections and high-stakes political events on scheduling.



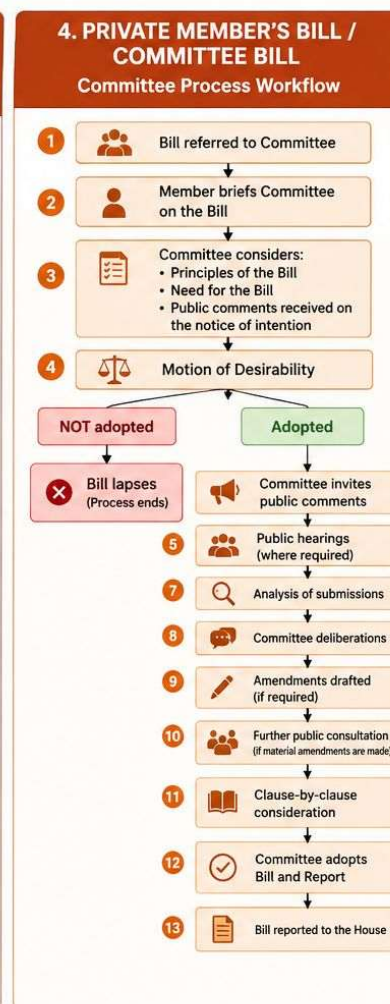
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The legislative process (EB and PMB)



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Note: After referral to a Committee, the processes for Executive Bills and Private Member's / Committee Bills differ, as shown in Workflows 1 and 2.





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Where is most committee time spent?

Information from the Committees Support Section indicates as follows:

Activity	Typical Duration	Why?
Briefings	2 - 3 weeks	Understanding the Bill
Public participation	2 - 6 weeks	Constitutional requirement
Hearings	2 - 6 weeks	Public engagement
Deliberations	1 - 4 weeks	Committee decision-making
Amendments	2 weeks	Improve the Bill



Why do Bills take different amounts of time?

There is no standard timeframe for processing a Bill in committees: The Constitution prescribe key procedural requirements, not processing times

- The duration depends on several factors ? Some are inherent to the nature of the Bill. Others relate to committee programming and operational capacity.
- Committee Support Section statistics show:
- A straight forward Bill = approximately **4–8 committee meetings**
- More complex legislation = **10–20 meetings**
- Constitutional amendments / highly contested Bills = **significantly longer timeframes**

Legislative Factors

- Constitutional classification
- Number of clauses
- Technical nature of subject
- Complexity of subject
- Urgency
- Amendments required

Public Participation Factors

- Nature and impact of Bill
- Number of submissions
- Geographic spread
- Public hearings
- Translation

Committee Factors

- Availability of Members
- Parliamentary programme
- Committee workload and programme
- Quorum

Operational Factors

- Venue availability
- Interpretation
- Hansard / Transcripts
- Printing
- Travel
- Committee support



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Public Participation requirements that could influence the time to consider Bills

S59(1)(a) Constitution: “The National Assembly must facilitate public involvement in the legislative and other processes of the Assembly and its committees” (Also see NAR 286 (6)(c))

It is required that Parliament provides:

- “**meaningful opportunities for public participation** in the law-making process”; AND
- “take measures to ensure that **people have the ability or capacity to take advantage of the opportunities** provided.”

The level of engagement with the public (e.g. public hearings) depends on various factors e.g.

- Parliament’s rules;
- the nature & importance of the legislation;
- the impact of the legislation on the public;
- any time constraints; and
- efficiency in the law making process.

In this regard legislatures have “**a significant measure of discretion in determining how best to fulfil their duty to facilitate public involvement**” in its processes, provided they act reasonably.

Doctors for Life International v The Speaker ao [2006] CCT12/05, Par 128, 146;

Land Access Movement of South Africa v Chairperson of the NCOP [2016] ZACC 22 Par 60-61



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- **Public Participation requirements:** Court Cases that influenced the legislative process:
 - Doctors for Life International v Speaker of the National Assembly and Others [2006] ZACC 11 – [3rd Parliament](#):
 - Parliament’s discretion was acknowledged. Required “meaningful opportunities” and that Parliament “take measures to ensure that people have the ability or capacity to take advantage of the opportunities provided.”
 - Land Access Movement of South Africa and Others v Chairperson of the National Council of Provinces and Others [2016] ZACC 22 (8 July 2016) – [5th Parliament](#):
 - Discretion of Parliament confirmed
 - Made NCOP responsible for mistakes of provincial legislatures where the NCOP relied on the public participation processes done in provincial legislatures
 - **Addressed:** Select Committees now do their own public participation process on section 76 Bills as well.
 - 1. Truworths Limited and Others v Minister of Trade and Industry and Others 2018 (3) SA 558 (WCC) (16 March 2018) – [5th Parliament](#)
 - 2. South African Veterinary Association (SAVA) v Speaker of the National Assembly and Others (CCT27/18) [2018] ZACC 49 (5 December 2018) – [5th Parliament](#)
 - 3. South African Iron and Steel Institute and Others v Speaker of the National Assembly and Others (CCT 240/22) [2023] ZACC 18; 2023 (10) BCLR 1232 (CC); 2026 (2) SA 368 (CC) (26 June 2023) - [6th Parliament](#)
 - Where a Bill is amended in Parliament, further calls for comments may be required
 - **Addressed:** Committees are advertising more during the deliberations process. Some Bills may have 4 or more such processes during deliberations
 - Mogale and Others v Speaker of the National Assembly and Others (CCT 73/22) [2023] ZACC 14 (30 May 2023) – [6th Parliament](#):
 - Parliament held to the standard that itself sets – the court considered the sector’s public participation framework, which has very detailed standards and thus not an ideal measure to be judged against.
 - **Addressed** in 2024: Joint Rules review expressly incorporated the Public Participation Model into its rules. Parliament must thus be judged solely based on this document for legislative processes after 2024.



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Faster legislative processes – practical steps

On advice of the Committee Support Section:

The objective must not be only to reduce the time available for legislative scrutiny, but to improve the predictability and consistency of the legislative process.

While each Bill is unique, greater certainty can be achieved by establishing indicative planning assumptions for key stages of committee processing.

- Need for greater control of adherence to standard timelines for processing Bills
 - Develop indicative timeframes for common committee activities, such as briefings, public participation, deliberations and reporting.
 - Strengthen legislative planning at the commencement of each Bill.
 - Improve coordination between committees and parliamentary support services.
 - Identify and reducing avoidable administrative and operational delays.
 - Monitor legislative progress against agreed planning milestones.
- Directing committees to prioritise bills
 - Meetings can be held outside of allocated meeting slots
 - Caution: Sufficient time must be allowed for support staff to execute instructions where work needs to be done after a Committee meeting, e.g. research on questions posed, legal advice developed, proposed drafts developed.
- Need to build better digital tools and system capacity for large numbers of public submissions.



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Which factors can Parliament influence?

Parliament can improve	Parliament cannot compromise
Committee Programming • Avoid late scheduling of meetings • Avoid unnecessary programme changes	Constitutional Requirements incl. notice periods
Meeting Frequency	Meaningful Public Participation
Early Planning	Procedural Fairness
Coordination • Avoid delayed circulation of documents	Adequate Committee Deliberation
Administrative Efficiency • Avoid Administrative bottlenecks • Improve coordination between support services	Legislative Quality/ Legal scrutiny
	Drafting of amendments



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Faster legislative processes - conferral

- NAR 169. Conferring powers of committees
 - (1) A committee may confer with any other committee of the Assembly.
- JR 189. Conferring powers of House committees
 - (1) A committee of a House may confer with the corresponding committee of the other House.
- Used in the consideration of the Electoral Matters Amendment Bill, 2023 [B42 - 2023].
- Advantages (especially for section 75 Bills):
 - Urgent Bills can be processed faster.
 - The Committees can exchange views on clauses, reducing the likelihood of amendments / proposals being referred back to the Committee in the First House.
 - The Committee in the Second House becomes familiar with the content of the Bill, contentious clauses and concerns raised by the public, shortly after introduction of the Bill.
 - The Committee in the Second House can arrange training on complex subjects, and can have discussions on the Bill or contentious policy, simultaneously with deliberations in the Committee in the First House.
 - The time needed by the Committee in the Second House to deliberate on the Bill once the Bill is formally referred to it can be shortened.
- Caution: Even on a section 75 Bill, the Second House must consider any amendments made by the first House and may have to do a call for comments as well. This will depend on the nature of any amendments made. A section 74 and 76 Bill will off course still have to follow the process in the provinces.



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Faster legislative processes - Joint legislative process (1)

- Section 76 Bills cannot be referred for a joint process (JR 208(2)(b)): The process thus starts with classification (JR 200, 202, 208) – The JTM considers if the Bill may be so referred.
 - The JTM may consult, i.a. the House chairpersons of the respective Houses and Chief Whip of the majority party to make its finding (JR 208(2)(c)); and
 - Guidance is included on the type of Bills that would benefit from this process (JR 208(3)):
 - the subject matter of the Bill would benefit from the joint consideration;
 - the Bill is classified as a section 75 Bill but contains provisions that may be of particular importance to the provinces or local government;
 - the Bill is technical in nature; or
 - the Bill is addressing a Constitutional Court order that has been suspended, requiring Parliament to correct the defect before a date given in that order.
- A decision that a Bill may be referred to a joint committee is then tabled in both Houses for a resolution (JR 199(c)).
 - This decision is not binding on either of the Houses, but it requires careful consideration (JR 200(2));
- Once referred to a joint committee, the legislative process commences. This process is expanded on to follow the provisions in the Assembly rules for the processing of Bills (JR 209 and JR 210) (includes a motion of desirability; requesting permission related to further amendments; prescripts related to members bills; and proposed stages to process a Bill in the Committee).



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Faster legislative processes - Joint legislative process (2)

- It is clearly stated that if--
 - a proposed amendment during the process in the Committee (JR 209(4)) or an amendment referred to the Committee by the House (JR 212), results in a change in the classification of the Bill to a section 76; or
 - the Joint Committee cannot reach consensus on one or more clauses of a Bill, or on the adoption of a report on the Bill (JR 214),the Bill must then be dealt with in terms of the rules of the two Houses (i.e. the process will then go to the Assembly for processing of the Bill).
- Where the Joint Committee cannot reach consensus, the report--
 - is submitted to the Assembly – it is necessary for the Assembly to play a role at this stage as this is a legislative process. Neither the Presiding Officers nor the Council can decide as to the next step (these will be section 74 and 75 Bills only); and
 - provides more information on what steps have already been taken on the Bill, what matters the Committee could agree on and which not, to enable the Assembly to decide the stage from which the Bill must proceed in the relevant Assembly committee as well as which work done by the joint committee must be taken into account by that Committee (JR 214(2)).
- Where the Joint Committee agreed to the Bill: As the Constitution requires that the Assembly must agree to a section 74 or 75 Bill before it is transmitted to the Council for consideration, a new rule (JR 213) provides that the Council may only consider the Bill once transmitted to it by the Assembly.



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QUESTIONS?