

PARLIAMENT OF THE REPUBLIC OF SOUTH AFRICA**GENERAL NOTICE 3852 OF 2026****MR MZWANELE MANYI, MP****NOTICE OF INTENTION TO INTRODUCE A PRIVATE MEMBER'S
BILL, 2026 AND INVITATION FOR COMMENT**

Mr Mzwanele Manyi, MP, acting in accordance with section 73(2) of the Constitution of the Republic of South Africa, 1996 (“the Constitution”), intends to introduce the Constitution Twenty-Fourth² Amendment Bill, 2026 (“the Bill”), in Parliament. An explanatory summary of the Bill is hereby published in accordance with Section 74(5) of the Constitution and Rule 295(2) of the National Assembly Rules (9th Edition).

This Bill aims to amend the Constitution, by repealing section 235. The Bill of Rights already safeguards the rights of everyone to freely use the language of their choice, to participate in the cultural life of their choice and to, with other members of a cultural, religious or linguistic community, enjoy their culture, practise their religion, use their language and form, join and maintain cultural, religious and linguistic associations and other organs of civil society, in a manner that is consistent with the Bill of Rights.

Section 235 introduces confusion, contradictions and ambiguity into the constitutional framework by providing a theoretical basis for “self-determination” of communities. Despite the requirement that this notion of a right to self-determination of a community must be determined by legislation, which would subject such determination to public scrutiny and parliamentary input through a legislative process, it is used to create the false impression that the Constitution allows cultural enclaves or semi-autonomous entities, and even in some cases that the Constitution allows these enclaves or entities to operate in a manner inconsistent with the Bill of Rights.

The object of the Bill is to seek the repeal of section 235 of the Constitution, which has never been invoked in national legislation, to remove the recognition of the notion of the right to self-determination of a community sharing a common cultural and language heritage, within a territorial entity in the Republic or in any other way.

Interested parties and institutions are invited to submit written representations on the proposed content of the Bill to the Speaker of the National Assembly within 30 days of the publication

¹ Number to be confirmed upon Introduction.

of this notice. Representations can be delivered to the Speaker, Africa House Building, Cape Town; mailed to the Speaker, PO Box 15, Cape Town, 8000; or emailed to speaker@parliament.gov.za and copied to mmanyi@parliament.gov.za.

Copies of the Constitution Twenty-Fourth³ Amendment Bill, 2026, may, after introduction, be obtained from Mr Mzwanele Manyi at mmanyi@parliament.gov.za.

² Number to be confirmed upon Introduction.