

**REPUBLIC OF TRANSKEI CONSTITUTION ACT  
NO. 15 OF 1976**

[DATE OF COMMENCEMENT: 26 OCTOBER, 1976]

**as amended by**

Constitution Amendment Act, No. 2 of 1977

Constitution Amendment Act, No. 1 of 1982

Traditional Leadership and Governance Act, No. 4 of 2005

**GENERAL NOTE**

**In terms of Proclamation No. 15 of 4 April, 1996, the administration section 66 and Schedule 10 of Act No. 15 of 1976 has been assigned to this Province.**

**In terms of Proclamation No. 26 of 26 April, 2001, the administration of Act No. 15 of 1976 has been transferred to the Minister for Justice and Constitutional Development with effect from 1 April, 2001.**

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**ACT**

**To constitute the Republic of Transkei and to provide for incidental matters.**

ARRANGEMENT OF SECTIONS

1 to 65 inclusive.

66. Designation or appointment of chiefs.

67 to 76 inclusive.

SCHEDULES 1 TO 9 INCLUSIVE . . . . .

SCHEDULE 10 . . . . .

SCHEDULE 11 . . . . .

**Preamble.**—In the Name of God. Amen.

In the faith that the One Eternal God is the source of all authority, wisdom, justice and morality,  
and in humble acknowledgement that we and all mankind are subject to His Laws;

We, the people of Transkei rightfully represented in this Assembly,  
do hereby adopt, enact and give to ourselves this Constitution.

We solemnly resolve to constitute Transkei into a sovereign and independent Republic wherein its citizens and all others who dwell lawfully within its borders are assured of social, political and economic justice, freedom of speech, assembly and worship, and unimpeded access to and equality before the Law,

And we do further determine to use the powers which we do hereby take to ourselves for the promotion of the spiritual and material well-being of all in our midst, the maintenance of law and order, the defence of our country against its enemies and the furtherance of peace among the nations of the world.

**1 to 65 inclusive.** . . . . .

[The administration of ss. 1 to 65 inclusive has not been assigned to this Province.]

CHAPTER 9  
GENERAL

**66. Designation or appointment of chiefs.**—(1) Subject to the provisions of subsection (2) the power—

- (a) to designate or appoint any person as paramount chief or chief, whether in a permanent or in an acting capacity, or
- (b) to institute any paramount chieftainship in addition to the paramount chieftainships mentioned in Schedule 10, or
- (c) to institute any other chieftainship of whatever class or status,

shall continue to vest in the regional authority concerned subject to the confirmation of such designation, appointment or institution by the President at his discretion.

(2) The President—

- (a) may refer back to a regional authority any designation or appointment made by such authority under subsection (1); and
- (b) shall not confirm the institution of any new chieftainship of whatever class or status except upon the recommendation of the National Assembly.

(3) The appointment in his office of every person who at the commencement of this Act is a paramount chief or chief (whether in a permanent or in an acting capacity) shall be deemed to have been confirmed by the President in terms of subsection (1).

(4) (a) Notwithstanding the preceding provisions of this section, a paramount chief or a chief who—

- (i) is elected to the office of President under this Act, or
- (ii) accepts any office of profit in the service of the Republic, shall appoint a deputy to exercise in his place, while he continues to hold such office, the powers, authorities and functions of a paramount chief or a chief, as the case may be: Provided that no person shall be so appointed unless he qualifies to be elected as a member of the National Assembly.

(b) The deputy of a paramount chief or a chief appointed under paragraph (a) shall for the purposes of this Act and any other law, be deemed to be an acting paramount chief or an acting chief, as the case may be.

[Sub-s. (4) inserted by s. 2 of Act 2 of 1977.]

(5) A paramount chief or a chief, who is appointed as a Minister of State under section 18 shall have the right to appoint as a deputy, to assist him in the discharge of the duties and functions of his chieftainship, any person who qualifies to be elected as a member of the National Assembly, and any person so appointed shall be paid such emoluments as the President may from time to time determine.

[Sub-s. (5) inserted by s. 2 of Act 2 of 1977.]

[S. 66 amended by s. 6 of Act 1 of 1982.]

**67 to 76 inclusive. . . . .**

[The administration of ss. 67 to 76 inclusive has not been assigned to this Province.]

**SCHEDULES 1 TO 9 INCLUSIVE. . . . .**

[The administration of Schs. 1 to 9 inclusive has not been assigned to this Province.]

**SCHEDULE 10. . . . .**

[Sch. 10 repealed by s. 37 (1) of Act No. 4 of 2005.]

**SCHEDULE 11 . . . . .**

[The administration of Sch. 11 has not been assigned to this Province.]

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