

WESTERN CAPE PROVINCIAL PARLIAMENT



THE THREE ARMS OF GOVERNMENT

Separation of Powers

(The Constitution of the Republic of South Africa, 1996)

The separation of powers in the Constitution means the government's functions and powers are split into three distinct branches. These branches are independent of each other and each has its own functions.

The Legislature

- Parliament:
 1. National Assembly
 2. National Council of Provinces
- Provincial legislatures
- Pass laws
- Oversees /monitors the Executive
- Represents the People
- Elects the President, or the Premier in the case of provinces

The Executive or Cabinet

- Consists of:
- President, Deputy President and cabinet Ministers at national level
 - Premier and Members of the Executive Council at provincial level
 - Makes policies
 - Proposes laws
 - Implements laws
 - Is responsible for the planning and provision of primary services

The Judiciary

- Includes the:
- Constitutional Court, Supreme Court of Appeal, High Courts and Magistrates Courts
- Considers:
- Constitutional matters
 - Cases where laws are breached
 - Appeals against sentences

