

39.-(1) A person shall not be entitled to be elected to hold the office of President of the United Republic save only if-

- (a) he is a citizen of the United Republic by birth in terms of the citizenship law;
- (b) he has attained the age of forty years;
- (c) he is a member of, and a candidate nominated by, a political party;
- (d) he is qualified to be a Member of Parliament or a Member of the House of Representatives.

(2) Without prejudice to any person's right and freedom of expression to hold his own views, to profess a religious faith of his choice, to associate with others and to participate with others in community work in accordance with the laws of the land, no person shall be qualified to be elected to hold the office of President of the United Republic unless he is a member of, and a candidate proposed by, a political party.

*Qualifications
for election
as President
Act. No.4
of 1984
s.13
Act No.34
of 1991
s.6*

**PART III
BASIC RIGHTS AND DUTIES**

The Right to Equality

*Equality
of human
beings
Act No. 15
of 1984
s.6*

12.- (1) All human beings are born free, and are all equal.

(2) Every person is entitled to recognition and respect for his dignity.

*Equality
before the
law
Act No. 15
of 1984
s.6
Act No. 4
of 1992
s.8*

13.- (1) All persons are equal before the law and are entitled, without any discrimination, to protection and equality before the law.

(2) No law enacted by any authority in the United Republic shall make any provision that is discriminatory either of itself or in its effect.

(3) The civic rights, duties and interests of every person and community shall be protected and determined by the courts of law or other state agencies established by or under the law.

(4) No person shall be discriminated against by any person or any authority acting under any law or in the discharge of the functions or business of any state office.

(5) For the purposes of this Article the expression "discriminate" means to satisfy the needs, rights or other requirements of different persons on the basis of their nationality, tribe, place of origin, political opinion, colour, religion or station in life such that certain categories of people are regarded as weak or inferior and are subjected to restrictions or conditions whereas persons of other categories are treated differently or are accorded opportunities or advantage outside the specified conditions or the prescribed necessary qualifications.