

# NO SILENCING OF CHRISTIANITY 2



Johann Heynecke

## COVERING LETTER TO THE SPEAKER OF PARLIAMENT...

Johannes Jochumis Heynecke...

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Date: 29 September 2025...

**The Honourable Speaker of the National Assembly...**

Parliament of the Republic of South Africa...

Cape Town...

**RE: REQUEST FOR CONFIRMATION AND ACCESS TO RECORDS REGARDING THE STATUS OF THE 2018 COGTA REPORT AND THE CRL RIGHTS COMMISSION'S PROPOSALS TO REGULATE RELIGION...**

Honourable Speaker,

I write to you in my personal capacity as a South African citizen and stakeholder in the religious sector... This letter accompanies my PAIA submission to the CRL Rights Commission and seeks Parliament's clarification on the legal status of the CRL's current proposals...

### 1. Factual Background...

- In 2018, the Portfolio Committee on Cooperative Governance and Traditional Affairs (CoGTA) considered the CRL Rights Commission's recommendations to regulate and license religious institutions... After deliberation, the Committee declined to adopt the proposals, recognising that the CRL does not have the mandate to regulate religion and that existing laws already address abuses...
- It is widely reported that this CoGTA process and report "lapsed" at the end of the previous Parliament...
- It is further claimed that in **July 2025** your office issued a letter confirming that the 2018 CoGTA report indeed lapsed and carries no legal force in the current Parliament...
- On **22 September 2025**, the CRL Rights Commission allegedly issued a media statement asserting it has the mandate and support to introduce a "peer review committee system" to regulate religion in South Africa - apparently relying on the 2018 proposals...

If these assertions are inaccurate, the public needs clarity... If they are accurate, then the public needs to know on what legal basis the CRL is proceeding...

### 2. Request for Confirmation and Access to Records...

*I respectfully request your written confirmation of the following:*

1. Did the 2018 CoGTA Portfolio Committee report on the CRL Rights Commission's proposals formally lapse at the end of the Fifth Parliament?...
2. Has the National Assembly or any committee revived, adopted or re-adopted any of those proposals since 2018?...
3. Did your office issue any correspondence in or around July 2025 confirming the lapsed status of the 2018 CoGTA report?... If so, please provide me with a copy of that correspondence...
4. Does Parliament currently have any pending business, draft legislation or committee process arising from the CRL's proposals to regulate religion?...

Because these issues directly affect constitutional rights to freedom of religion, association and expression and because of the widespread public interest generated by the CRL's recent statements... I also respectfully request that any applicable fees be waived and that the requested information be provided as expeditiously as possible...

I hereby also formally request, in the public interest and under the constitutional principles of transparency and accountability, that Parliament urgently investigate and disclose:

1. The origins, authorship and intended scope of the CRL Rights Commission's proposals to regulate religious organisations, churches, pastors and traditional spiritual practices.
2. The legal basis claimed by the CRL to impose such regulation, including any draft legislation, policy papers or Cabinet directives.
3. Records of public consultations, stakeholder submissions and internal deliberations.
4. Why certain faith communities appear to be more heavily scrutinised than others, and how equality before the law will be guaranteed.
5. What safeguards exist to prevent the CRL from exceeding its mandate and infringing on constitutional rights.

I also specifically ask Parliament to clarify **what is behind the CRL's apparent overreach of power** - who benefits, who directs it and whether it is consistent with South Africa's constitutional democracy...

Given the seriousness of these issues, I request a written response within **30 days** or such shorter time as is reasonable in the circumstances...

### 3. Contact Details...

*Please direct your response and any records to:*

Johannes J. Heynecke...  
Cell. No: +2771 414 0699...  
E-mail: heyneckejohann@gmail.com

### 4. Closing...

South Africa's constitutional democracy depends on transparency and accountability... Clear confirmation from your office will help prevent confusion, misinformation and public distrust about Parliament's stance on these far-reaching issues...

I thank you for your prompt attention to this matter and look forward to your response within the statutory timeframes...

Yours faithfully,



Johannes J. Heynecke...  
ID No: 650714 5015 085...

## INTEGRATED PAIA REQUEST & DEMAND FOR WRITTEN CLARIFICATION...

Johannes J. Heynecke...

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Date: 29 September 2025...

Information Officer...

CRL Rights Commission...

### RE: FORMAL REQUEST FOR ACCESS TO RECORDS AND WRITTEN CLARIFICATION IN TERMS OF THE PROMOTION OF ACCESS TO INFORMATION ACT, 2000 (PAIA)...

Dear Sir / Madam,

I hereby submit this request under section 18(1) of the Promotion of Access to Information Act, 2000 (Act 2 of 2000) ("PAIA"), together with the attached completed Form A...

This request is made in my personal capacity as a South African citizen and stakeholder in the religious sector... It concerns the Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities ("CRL Rights Commission") and its policies, plans and activities regarding the regulation and oversight of religious institutions, churches, pastors and faith-based organisations in South Africa...

Because of the seriousness of the issues at stake, this letter also sets out the factual background and public record as currently understood and then demands specific records and written clarifications from the CRL Rights Commission...

#### 1. Factual Background and Context:

- On **22 September 2025**, the CRL Rights Commission reportedly issued a **media statement** claiming it has both the *mandate* and *support* to introduce legislation imposing a "peer review committee system" to regulate religion... Such a statement, if accurate, would have far-reaching constitutional consequences...
- In **2018**, the Parliamentary Portfolio Committee on Cooperative Governance and Traditional Affairs (CoGTA) comprehensively considered and rejected the CRL's earlier proposals for state regulation of religion... The Committee specifically recognised (1) that the CRL is *not the body mandated to regulate the religious sector*, and (2) that *existing laws* already cover abuses if enforced...
- It is further claimed that in **July 2025** the Speaker of Parliament confirmed in writing that the CoGTA report had lapsed at the end of that Parliament and was never revived - meaning it has no legal force on which the CRL can rely...
- The CRL has stated publicly that there is "no code of conduct" for religious institutions... However, in **2018**, the South African Council for the Protection and Promotion of Religious Rights and Freedoms (SACRRF), following a proposal by TISA, developed a **comprehensive Code of Conduct for Religions in South Africa**, grounded in the **Charter of Religious Rights and Freedoms**, which was adopted by more than 20 million South Africans across all faiths... Since then, voluntary self-regulation has accelerated - for example, the **South African Community of Faith-Based Fraternities and Federations (SACOFF)** established in 2020 now represents hundreds of networks, tens of thousands of churches and millions of Christians...
- In **2019**, at the National Religious Leaders Summit convened by the CRL itself, leaders from across the spectrum stated it was "inappropriate and unacceptable" for the CRL to dictate to the church how to regulate its affairs and that *state regulation of religion is not an option*...
- South Africa already has robust criminal, child protection, consumer protection and tax laws which apply equally to everyone... There is no such thing as a "spiritual crime": where the law is broken, it must be enforced firmly and fairly by the State...

Despite this clear record, the CRL's current Section 22 Committee appears to be targeting the Christian community... Even though any law or regulation it proposes would affect *all faiths*... This raises questions of discrimination and breaches of section 9 (equality before the law) and section 15 (freedom of religion) of the Constitution...

## 2. Urgency and Public Interest:

This request is submitted in the public interest... The records sought relate directly to constitutional rights, freedom of religion, equality before the law and public participation in policy development... The information is urgently required to enable informed public comment, media reporting and civic engagement on measures which could affect a broad sector of society...

In terms of section 22 of PAIA, I therefore request that any applicable fees be waived and that this request be processed as expeditiously as possible...

## 3. Request for Access to Records:

*Please provide copies (in electronic format where possible) of:*

- All internal and external policy papers, discussion documents, draft bills, legal opinions, consultation notes, and research commissioned or produced by the CRL Commission concerning the regulation, registration, licensing, or oversight of religious organisations or leaders in South Africa...
- Minutes, attendance lists and submissions from all meetings, hearings, workshops or consultations with religious bodies, government departments or external organisations about these proposals...
- Any agreements, MOUs or funding arrangements between the CRL Commission and government departments or outside entities connected to the regulation of religious institutions...
- All public statements, media briefings and presentations regarding these proposals not already on the Commission's website - **specifically including any media statement allegedly issued on 22 September 2025 about a "peer review committee system" to regulate religion...**
- Any impact-assessment reports on how such proposals might affect constitutional rights to freedom of religion, association or expression...

If any record is withheld, please indicate the section of PAIA relied upon for refusal...

## 4. Direct Questions Requiring Written Clarification:

*Because the above records directly inform the following issues, I request the CRL Commission to provide written answers to each question:*

### **Mandate and Authority:**

1. Under what exact statutory provision does the CRL Commission claim authority to regulate, register or license religious organisations or leaders?...
2. Does the Commission's mandate extend equally to all faiths (Christianity, Islam, Hinduism, African Traditional Religions, Judaism, etc.), or is it focused on a particular faith tradition? Please specify...
3. If the proposals apply differently to different religions, what criteria are used to differentiate?...

### **Problem Definition:**

4. What specific documented abuses or problems justify the proposed intervention?...
5. How many verified complaints or cases form the factual basis for the CRL Commission's proposals? Please provide numbers and case categories...

### **Scope and Reach:**

6. Will every religious leader in South Africa, regardless of faith, be compelled to register or obtain a licence?...
7. How will the Commission treat small, informal congregations or independent churches that do not belong to established councils?...
8. Will foreign religious workers or missionaries be treated differently from South African citizens?...

### **Constitutional Compliance:**

9. Has the CRL Commission obtained a formal legal opinion on whether these proposals infringe sections 9, 15 and 31 of the Constitution?... If yes, please supply it...
10. What remedies or safeguards are built into the proposals to prevent infringement on religious freedom?.
11. If a religious organisation refuses to comply on grounds of conscience, what enforcement mechanism does the Commission envisage?...

### **Process and Transparency:**

12. Which stakeholders have already been consulted (please list names and dates)?...
13. Were any religious bodies or leaders excluded from consultation? If so, why?...
14. Will all draft regulations or proposals be published for public comment before adoption?...

### **Independence and Funding:**

15. Who is funding the development of these proposals (government allocations, donor funding or other sources)?...
16. What measures exist to protect the Commission from political or ideological capture when regulating religious bodies?...

### **Implementation and Oversight:**

17. Which entity will have final enforcement powers - the CRL Commission, a government department or another body?...
18. What penalties or sanctions are contemplated for non-compliance?...
19. How will appeals or objections by religious organisations be handled?...

### **Timelines and Next Steps:**

20. What is the exact timeline for finalising these proposals, including each stage where the public may intervene?...
21. Will the Commission commit to publishing a full list of submissions received and how they influenced the final proposal?

**General questions:**

22. A reporter ask the chairperson of the CRL (She is driven this law, now it is only a bill, it's a draft... That can become law and they are very serious about it!): "If I go to church and I give my heart to Jesus Christ and I walk out, very excited... Telling other people about Jesus what will happen and the chairperson said; 'Then they must get jailed!'"  
Did or didn't the chairperson of the CRL say it?...
23. Now a personal question from myself to the chairperson of the CRL: "If I felt called by my God as a Christen to go stand and read out of my bible for passersby... What is her view must happen to me?..."

**5. Contact Details for Response:**

*Please direct all records and answers to:*

Johannes J. Heynecke...  
Cell. No: +2771 414 0699...  
E-mail: heyneckejohann@gmail.com

**6. Closing:**

The issues raised above are of fundamental importance to South Africa's constitutional democracy and to the faith community at large... In order to ensure informed and fair public discourse, I kindly request your written response and the requested records within the statutory 30-day period under PAIA...

Thank you for your prompt attention to this matter...

Yours faithfully,



Johannes J. Heynecke...  
ID No: 650714 5015 085...

