

## CITATION OF CONSTITUTIONAL LAWS ACT 5 OF 2005

[ASSENTED TO 23 JUNE 2005] [DATE OF COMMENCEMENT: 27 JUNE 2005]

*(English text signed by the President)*

### ACT

**To change the manner of referring to the Constitution of the Republic of South Africa, 1996, and to laws amending it; to substitute the short titles of laws amending the Constitution of the Republic of South Africa, 1996; and to provide for matters connected therewith.**

#### Preamble

WHEREAS section 2 of the Constitution of the Republic of South Africa, 1996 ( Act 108 of 1996 ), provides that the Constitution is the supreme law of the Republic of South Africa;

AND WHEREAS the Constitution, unlike other Acts of the Republic of South Africa, was not passed by Parliament, but was adopted by the Constitutional Assembly;

AND RECOGNISING that the Constitution and amendments to the Constitution should be treated differently from other Acts of Parliament by not being allocated an Act number like other ordinary Acts of Parliament,

BE IT THEREFORE ENACTED by the Parliament of the Republic of South Africa, as follows: -

#### **1 No Act number to be associated with Constitution of the Republic of South Africa, 1996**

(1) From the date of commencement of this Act, no Act number is to be associated with the 'Constitution of the Republic of South Africa, 1996 ( Act 108 of 1996 )'.

(2) Any reference to the 'Constitution of the Republic of South Africa, 1996 ( Act 108 of 1996 )', contained in any law in force immediately prior to the commencement of this Act, must be construed as a reference to the 'Constitution of the Republic of South Africa, 1996'.

#### **2 Amendment of laws**

The laws specified in the second column of the Schedule are hereby amended to the extent set out in the third column thereof.

#### **3 Short titles of laws amending the Constitution of the Republic of South Africa, 1996**

(1) From the date of commencement of this Act, no Act number is to be associated with or allocated to any law amending the Constitution of the Republic of South Africa, 1996.

(2) The short titles of laws amending the Constitution of the Republic of South Africa, 1996, passed by Parliament after the commencement of this Act must reflect their chronological order, in line with the short titles indicated in the third column of the Schedule; the first such law passed after this Act takes effect starting with the number following the last number indicated in the third column of the Schedule.

#### **4 Short title**

This Act is called the Citation of Constitutional Laws Act, 2005.

### Schedule

No and year of Law	Short title	Extent of amendment
Act 35 of 1997	Constitution of the Republic of South Africa Amendment Act, 1997  <b>' 4 Short title and commencement</b>	The following section is substituted for section 4:  This Act is called the Constitution First Amendment Act of 1997, and must be regarded as having taken effect on 4 February 1997.'
Act 65 of 1998	Constitution of the Republic of South Africa Amendment Act, 1998  <b>' 6 Short title</b>	The following section is substituted for section 6:  This Act is called the Constitution Second Amendment Act of 1998.'
Act 87 of 1998	Constitution of the Republic of South Africa Second Amendment Act, 1998  <b>' 3 Short title</b>	The following section is substituted for section 3:  This Act is called the Constitution Third Amendment Act of 1998.'
Act 3 of 1999	Constitution of the Republic of South Africa Amendment Act, 1999  <b>' 3 Short title</b>	The following section is substituted for section 3:  This Act is called the Constitution Fourth Amendment Act of 1999.'
Act 2 of 1999	Constitution of the Republic of South Africa Second Amendment Act, 1999  <b>' 3 Short title</b>	The following section is substituted for section 3:  This Act is called the Constitution Fifth Amendment Act of 1999.'

Act 34 of 2001	Constitution of the Republic of South Africa Amendment Act, 2001  <b>' 21 Short title</b>	The following section is substituted for section 21:  This Act is called the Constitution Sixth Amendment Act of 2001.'
Act 61 of 2001	Constitution of the Republic of South Africa Second Amendment Act, 2001  <b>' 11 Short title and commencement</b>	The following section is substituted for section 11:  This Act is called the Constitution Seventh Amendment Act of 2001, and comes into operation on a date fixed by the President by proclamation in the <i>Gazette</i> .'
Act 18 of 2002	Constitution of the Republic of South Africa Amendment Act, 2002  <b>' 3 Short title</b>	The following section is substituted for section 3:  This Act is called the Constitution Eighth Amendment Act of 2002.'
Act 21 of 2002	Constitution of the Republic of South Africa Second Amendment Act, 2002  <b>' 4 Short title</b>	The following section is substituted for section 4:  This Act is called the Constitution Ninth Amendment Act of 2002.'
Act 2 of 2003	Constitution of the Republic of South Africa Amendment Act, 2003  <b>' 10 Short title and commencement</b>	The following section is substituted for section 10:  This Act is called the Constitution Tenth Amendment Act of 2003, and comes into operation on a date set by the President by proclamation.'
Act 3 of 2003	Constitution of the Republic of	The following section is substituted for section 5:

	<p>South Africa Second Amendment Act, 2003</p> <p><b>5 Short title and commencement</b></p>	<p>This Act is called the Constitution Eleventh Amendment Act of 2003, and takes effect on a date determined by the President by proclamation in the <i>Gazette</i> .’.</p>
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