

(27 June 2005 - to date)

[This is the **current** version and applies as from **27 June 2005**, i.e. the date of commencement of the Citation of Constitutional Laws Act 5 of 2005 – **to date**]

CITATION OF CONSTITUTIONAL LAWS ACT 5 OF 2005

(Government Notice 996 in Government Gazette 27722, dated 27 June 2005. Commencement date: 27 June 2005.)

GENERAL EXPLANATORY NOTE:

[] Words in bold type in square brackets indicate omissions from existing enactments.
_____ Words underlined with a solid line indicate insertions in existing enactments.

(English text signed by the President.)
(Assented to 23 June 2005.)

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 No. 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
2. Amendment of laws
3. Short titles of laws amending the Constitution of the Republic of South Africa, 1996

4. Short title

SCHEDULE

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 No. 108 of 1996)".
- (2) Any reference to the "Constitution of the Republic of South Africa, 1996 (Act No. 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 No. 35 of 1997	Constitution of the Republic of South Africa Amendment Act, 1997	<p>The following section is substituted for section 4:</p> <p>"Short title and commencement</p> <p>4. This Act is called the Constitution [of the Republic of South Africa] First Amendment Act of 1997, and must be regarded as having taken effect on 4 February 1997."</p>
Act No. 65 of 1998	Constitution of the Republic of South Africa Amendment Act, 1998	<p>The following section is substituted for section 6:</p> <p>"Short title</p> <p>6. This Act is called the Constitution [of the Republic of South Africa] Second Amendment Act of 1998."</p>
Act No. 87 of 1998	Constitution of the Republic of South Africa Second Amendment Act, 1998	<p>The following section is substituted for section 3:</p> <p>"Short title</p> <p>3. This Act is called the Constitution [of the Republic of South Africa Second] Third Amendment Act of 1998."</p>
Act No. 3 of 1999	Constitution of the Republic of South Africa Amendment Act, 1999	<p>The following section is substituted for section 3:</p> <p>"Short title</p> <p>3. This Act is called the Constitution [of the Republic of South Africa] Fourth Amendment Act of 1999."</p>
Act No. 2 of 1999	Constitution of the Republic of South Africa Second Amendment Act, 1999	<p>The following section is substituted for section 3:</p> <p>"Short title</p>

No. and year of law	Short title	Extent of amendment
		<p>3. This <u>Act</u> is <u>called</u> the Constitution [of the Republic of South Africa Second] <u>Fifth</u> Amendment Act <u>of</u> 1999."</p>
Act No. 34 of 2001	Constitution of the Republic of South Africa Amendment Act, 2001	<p>The following section is substituted for section 21:</p> <p>"Short title [and commencement]</p> <p>21. This Act is called the Constitution [of the Republic of South Africa] <u>Sixth</u> Amendment Act <u>of</u> 2001."</p>
Act No. 61 of 2001	Constitution of the Republic of South Africa Second Amendment Act, 2001	<p>The following section is substituted for section 11:</p> <p>"Short title <u>and commencement</u></p> <p>11. This Act is called the Constitution [of the Republic of South Africa Second] <u>Seventh</u> Amendment Act <u>of</u> 2001, and comes into operation on a date fixed by the President by proclamation in the <i>Gazette</i>."</p>
Act No. 18 of 2002	Constitution of the Republic of South Africa Amendment Act, 2002	<p>The following section is substituted for section 3:</p> <p>"Short title</p> <p>3. This Act is called the Constitution [of the Republic of South Africa] <u>Eighth</u> Amendment Act <u>of</u> 2002."</p>
Act No. 21 of 2002	Constitution of the Republic of South Africa Second Amendment Act, 2002	<p>The following section is substituted for section 4:</p> <p>"Short title</p> <p>4. This Act is called the Constitution [of the Republic of South Africa Second] <u>Ninth</u> Amendment Act <u>of</u> 2002."</p>

No. and year of law	Short title	Extent of amendment
Act No. 2 of 2003	Constitution of the Republic of South Africa Amendment Act, 2003	<p>The following section is substituted for section 10:</p> <p>"Short title <u>and commencement</u></p> <p>10. This Act is called the Constitution [of the Republic of South Africa] <u>Tenth</u> Amendment Act <u>of</u> 2003, and comes into operation on a date set by the President by proclamation."</p>
Act No. 3 of 2003	Constitution of the Republic of South Africa Second Amendment Act, 2003	<p>The following section is substituted for section 5:</p> <p>"Short title and commencement</p> <p>5. This Act is called the Constitution [of the Republic of South Africa Second] <u>Eleventh</u> Amendment Act <u>of</u> 2003, and takes effect on a date determined by the President by proclamation in the <i>Gazette</i>."</p>